

JOURNAL OF THE SENATE
NINETY-EIGHTH GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI
FIRST REGULAR SESSION

FIRST DAY—WEDNESDAY, JANUARY 7, 2015

The Senate was called to order at 12:00 noon by Lieutenant Governor Peter Kinder.

The Reverend Carl Gauck offered the following prayer:

“See, former things have come to pass and new things I now declare.” (Psalm 42:9a)

O, Lord it is a new session for all of us and for some a new status and time for change with this New Year. So with the challenges that confront our state we ask your guidance and help to do that which is needed and pleasant in your sight. Grant us wisdom to do what is necessary, even and especially when it is difficult to do, so we accomplish the purpose for which you have brought us here. And bless, O Lord, the work we put forth. In Your Holy Name we pray. Amen.

Missouri State Highway Patrol Troop F presented the Colors.

The Pledge of Allegiance to the Flag was recited.

The “Star-Spangled Banner” was performed by Lauren Hieger.

The President of the Senate stated that the Rules of the Senate would be the Missouri Senate Rules of the 2nd Regular Session of the Ninety-seventh General Assembly until temporary or permanent rules are adopted.

Senator Richard announced that photographers from ABC 17, KSDK-TV, the Senate and family members had been given permission to take flash pictures and to video in the Senate Chamber and gallery.

Senator Richard submitted the following appointments of officers for the temporary organization, which were read:

President Pro Tem	Tom Dempsey
Secretary of Senate	Adriane D. Crouse
Sergeant-at-Arms	Bill Smith

Senator Richard requested unanimous consent of the Senate that the above named officers stand as

temporary officers until permanent officers are elected, which request was granted.

MESSAGES FROM THE SECRETARY OF STATE

The President laid before the Senate the following communication from the Secretary of State, which was read:

To the Honorable Senate of the 98th General Assembly, First Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri, I have the honor to lay before you herewith a list of the names of the members of the Senate for the 98th General Assembly (First Regular Session) of the State of Missouri, elected at the November 6, 2012 General Election, and the November 4, 2014 General Election.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 5th day of January, 2015.

/s/ Jason Kander

(Seal)

SECRETARY OF STATE

MISSOURI STATE SENATORS

Elected November 6, 2012

District	Name
1st	Scott Sifton
3rd	Gary Romine
5th	Jamilah Nasheed
7th	Jason Holsman
9th	Shalonn (Kiki) Curls
11th	Paul LeVota
13th	Gina Walsh
15th	Eric Schmitt
17th	Ryan Silvey
19th	Kurt Schaefer
21st	David Pearce
23rd	Tom Dempsey
25th	Doug Libla
27th	Wayne Wallingford
29th	David Sater
31st	Ed Emery
33rd	Mike Cunningham

MISSOURI STATE SENATORS

Elected November 4, 2014

District	Name
2nd	Bob Onder
4th	Joseph (Joe) Keaveny
6th	Mike Kehoe
8th	Will Kraus
10th	Jeanie Riddle
12th	Dan Hegeman
14th	Maria N. Chappelle-Nadal
16th	Dan Brown
18th	Brian Munzlinger
20th	Jay Wasson
22nd	Paul Wieland
24th	Jill Schupp
26th	Dave Schatz
28th	Mike Parson
30th	Bob Dixon
32nd	Ron Richard
34th	Rob Schaaf

The newly elected Senators advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Mary R. Russell, Chief Justice of the Missouri Supreme Court.

On roll call the following Senators were present:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

The President declared the First Regular Session of the 98th General Assembly convened.

RESOLUTIONS

Senator Richard offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1

BE IT RESOLVED, by the Senate of the Ninety-eighth General Assembly of the State of Missouri, First Regular Session, that the rules adopted by the Ninety-seventh General Assembly, Second Regular Session, as amended, insofar as they are applicable, be adopted as the temporary rules for the control of the deliberations of the Senate of the Ninety-eighth General Assembly, First Regular Session, until permanent rules are adopted.

Senator Richard moved that the Senate proceed to perfect its organization, which motion prevailed.

Senator Richard nominated Senator Tom Dempsey for President Pro Tem. Senator Dempsey's nomination was seconded by Senator Keaveny.

No further nominations being made, Senator Dempsey was elected President Pro Tem by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Dempsey assumed the dais and subscribed to the oath of office of President Pro Tem, administered by the Honorable Mary R. Russell, Chief Justice of the Missouri Supreme Court.

President Pro Tem Dempsey assumed the dais and delivered the following address:

Opening Address

Senator Tom Dempsey, President Pro Tem

First Regular Session, 98th General Assembly

January 7, 2015

Lieutenant Governor, Honorable Chief Justice Russell, members of the Missouri Senate, our families, friends, and fellow Missourians. Thank you for joining us today as we commence the First Regular Session of the 98th General Assembly.

To my fellow Senators, it's a distinct honor to once again address you in this capacity. Thank you for electing me to be Pro Tem of the Missouri Senate for another two years.

I'm grateful to have your renewed vote of confidence and trust; something I know must be earned and re-earned as we work together in the months and years ahead.

I'd like to thank my beautiful wife Molly for being here today, but even more so for supporting me during my 16 years of public service and our 23 years of wedded bliss. Please stand and be recognized.

I would also like to recognize my children. They were 8, 6, and 1 when I was first sworn into the legislature.

Meaghan will graduate from Tulane this May. Abby is now a sophomore at the University of Missouri at Columbia, and Jack is a freshman at Duchesne High School.

To my children, thank you for the support and the sacrifices that you have made so that I could serve the state of Missouri. Please stand and be recognized.

I'm pleased again to have my father Ernie in attendance, along with my sister Anne and her family. At my swearing-in a few moments ago, I used my father's Bible, which holds a very special place in his life.

Today, 34 of us from every corner of the state, each with our own opinions, backgrounds, and identities assemble in this chamber to fulfill our collective duty as public servants for the people of Missouri. This duty is no small undertaking and carries with it countless responsibilities and challenges.

By and large, over my 14 years of public service in the state legislature, we have come together as Republicans and Democrats to move Missouri forward in a prudent, positive manner.

New challenges await us this year and I expect this chamber to continue to work together in order to make our great state the best it can be. I am confident we can do this, because I've seen it happen before.

Last year, we enacted a historic tax cut that will keep money in the taxpayers' pockets and in the cash registers of small businesses.

This is on top of the corporate franchise tax cut passed in 2011, which came on the heels of cutting taxes on Social Security and pension benefits for low and moderate-income senior citizens in 2007.

We have demonstrated our resolve to make Missouri a low-tax state based on a conviction that our citizens should be able to keep more of their take-home pay.

After years of hard work and study, we made good on our commitment to promote public safety when we, as a bipartisan community, voted to modernize and streamline Missouri's complicated Criminal Code.

We have also pursued policies to improve economic security by reforming Missouri's unemployment laws, restoring balance and solvency to the Second Injury Fund, and bringing fairness to Missouri's regulatory environment. Creating a level playing field where the rules are fair and predictable makes our state a place where people will want to invest and to create good-paying jobs.

Unlike Washington DC, we achieved all this while consistently balancing and presenting a budget Missouri taxpayers could afford while also providing historic levels of funding for public education.

These efforts have cultivated a strong foundation for recovery, and I'm pleased to report that we are greeting this session with a more positive economic outlook.

Missouri's current unemployment rate is at 5.6%, the lowest it has been since 2008.

Layoffs are also well below pre-recession levels and the reduction in jobless claims and bankruptcy filings all point to a healthy trend for the state's job market. We are moving in the right direction, but we must continue the progress we have made.

Missouri's economy ranks among the most diverse in the United States. We will rely on the existing strengths of our versatile state and build for a greater economic revival by looking at what lies ahead in our ever-changing global marketplace.

This will require us to further strengthen Missouri's business climate and to provide advanced workforce development opportunities in order to prepare Missouri and its citizens for the economy of the future.

We have an emerging technology industry that is lending itself to a resurgence in other industries, specifically manufacturing.

We are on the verge of a manufacturing revival, and Missouri's existing foundation of support for the industry combined with our friendly business climate can easily facilitate further growth in this important sector of our state's economy.

We need to use our unique resources, core capabilities, and strategic location at the crossroads of America to target and attract companies that can take advantage of all we have to offer.

In addition to manufacturing and technology, farming and agriculture have long been a driving force for the state's vitality.

Each year, this dynamic industry and the hardworking Missourians behind it contribute billions of dollars and thousands of jobs to our economy.

Roughly two-thirds of Missouri land is used for farming purposes. Two-thirds. Nationally, Missouri ranks second in the number of farms. In case you're wondering, the state ahead of us is Texas, which is quadruple our size.

These are remarkable statistics that speak to the strength of our agricultural industry and compel us to continue building it for the future.

In that regard, it's my hope to revisit proposals passed by the legislature last year aimed at securing the future viability of Missouri agriculture. There is no reason we can't get this important legislation across the finish line early this session.

As we all know, 2014 was a great year for Missouri sports, and we all enjoyed watching our teams succeed. The Missouri Tigers football team, the Kansas City Royals, and the St. Louis Cardinals and Blues.

No matter where your loyalties lie, each of these teams was able to thrive in a highly competitive environment. And they did so with leadership, skill, determination and vision.

These teams took advantage of the natural strengths and abilities of every player to excel. This is a recipe for success that we as legislators can apply to the work we conduct over the next 5 months.

And much like the sports teams we admire, as soon as the season – or legislative session – is over, we look to the upcoming year to consider where we may have fallen short and plan for the challenges we may yet face.

Whether new or old, there will always be challenges that await us. These challenges serve as a reminder that working together we can make our state the very best place possible to raise a family, get an education, grow a business, or fulfill a dream.

As we stand on the threshold of a new legislative session, we continue to face an education crisis.

One needs to look no further than TV news coverage to see the pain in our communities, and know that the urgency for reform and educational opportunity has never been greater.

I know reform is difficult, but I also know reform is right – because access to a quality education changes lives. It's not only a pathway to a career; it's a path out of poverty and a path to foster long-term prosperity for our state. Every child matters, and every child deserves the opportunity to succeed.

Last year, we moved forward in a bipartisan manner to pass the most far-reaching education reform measure in decades. This bill included accountability for failing school districts and a window of opportunity for kids to receive a quality education close to home.

Unfortunately, vocal opponents of reform stonewalled this measure, consigning thousands of disadvantaged kids to yet another year of substandard education.

But today marks the start of a new session and Missouri will see us once again unite in our commitment to fight for our children's future.

We will not resort to easy, short-term fixes that simply redefine what it means to fail. We will foster and expect achievement for all of our children.

This is our duty; this is our mission. We will work harder so that future generations can do better.

It is my hope that our efforts this year will be met by an engaged governor who is willing to be a partner with the Legislature to help us put together an ambitious plan to raise the standard of education in our state and provide educational choices to students who need them. With that said, I am encouraged by recent conversations with the chief executive on this issue.

It is important to remember that the only kids in Missouri who currently have no choice as to the school they attend are those from families too poor to change their zip code or too poor to pay for an educational alternative.

It is especially for the sake of these students we must find a way to bring quality opportunities close to where they live.

As we work to revitalize our schools, we will also take a hard look at a number of reforms to address the systemic failures of some of Missouri's municipal courts.

Despite the best efforts of the "Mack's Creek's Law," cities across the state continue to abuse traffic enforcement and rely on the fines generated, not to discourage bad driving behavior, but rather to support their own governmental bureaucracy.

Many of these municipalities are building into their annual budgets a line item for projected revenue growth from increased traffic violations. Many more are turning a profit, while the citizens they serve are struggling to make ends meet.

In reality, they are building their own fiefdoms on the backs of the people they are supposed to represent.

The injustices of the system extend across the state, but are perhaps most pronounced in St. Louis County and its 90 municipalities – an astonishing 81 of which have their own municipal court system.

These municipalities are home to 11% of Missouri's population, but account for a troubling 34% of the state's municipal court fines and fees.

This perverse scheme of ‘taxation by citation’ – *to borrow a phrase* – is an unsustainable trend that stifles our communities, damages the reputation of law enforcement and creates an adversarial relationship with the very citizens they are sworn to “protect and serve”.

All this erodes the social compact between citizens and their government. Government may never be perfect, but it can always be accountable and we will not turn a blind eye to the need for reform on this front.

I am pleased to relay to you that some of this important reform is taking place from within. As a case in point, Missouri’s chief justice, who is present with us today, has been known over the past year and a half to conduct her version of the TV show “Undercover Boss”. Dressed in capris and tennis shoes, she anonymously visits courtrooms across the state, surveying all persons who use courts to verify they are being treated fairly.

Some courts are more prone than others to show flexibility in terms of allowing payment plans for fines or accommodating mothers who need to bring a child along.

It’s fair to say that her interest and presence in the operations of both municipal and circuit courts is promoting these commendable changes.

As we speak of the responsibilities of the courts and police, a point of clarification is necessary. There are many issues that have surfaced in the wake of the unrest in parts of St. Louis.

Many of the complaints voiced in recent months warrant our attention and concern, but let me be clear: the criminal acts carried out against local shopkeepers, citizens, and police officers by individuals who have hi-jacked the peaceful protests of concerned citizens have no place in a civil society where all must be subject to the rule of law.

We don’t have to look far to see the serious issues confronting our state. In the long tradition of free and fair discussion in the Missouri Senate, we will discuss those important and vital issues at length and reach informed conclusions regarding them.

We recognize the challenges that are plainly before us, but we will focus on our strengths.

Though we are a diverse collection of 34 individual senators, representing every corner of our remarkable state, we have a history of setting aside personalities, politics, and party affiliation to work as a Senate to overcome any challenge facing our beloved Missouri.

We do this because we have been given a sacred trust by those who sent us here in their place, as their designees.

They expect us to be leaders, to find solutions and to maintain the highest decorum and dignity befitting any person bearing the title of senator. We will not disappoint them.

We will examine the issues, work the long hours, listen to reason and to opposing points of view, and together craft the policies that will make our state a better place to live.

Thank you and God bless.

President Kinder assumed the Chair.

Senator Dempsey nominated Adriane D. Crouse for Secretary of Senate.

No further nominations being made, Ms. Crouse was elected by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Dempsey nominated Bill Smith for Sergeant-at-Arms.

No other nominations being made, Mr. Smith was elected by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Adriane D. Crouse and Bill Smith advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Mary R. Russell, Chief Justice of the Missouri Supreme Court.

RESOLUTIONS

Senator Richard offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the First Regular Session of the Ninety-eighth General Assembly is duly convened and is now in session and ready for consideration of business;

BE IT FURTHER RESOLVED that the Secretary of the Senate notify the House of Representatives that the Senate is now organized with the election of the following named officers:

President Pro Tem	Tom Dempsey
Secretary of Senate	Adriane D. Crouse
Sergeant-at-Arms	Bill Smith

In accordance with Section 9.141, RSMo, the Bill of Rights was read.

On motion of Senator Richard, the Senate recessed until 2:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schmitt.

FIRST READING OF PRE-FILED SENATE BILLS

As provided in Chapter 21, RSMo 2000, Sections 21.600, 21.605, 21.615 and 21.620, the following pre-filed Bills and/or Joint Resolutions were introduced and read for the first time:

SB 1—By Pearce.

An Act to repeal sections 160.011, 160.400, 160.405, 160.415, 160.417, 162.081, 162.1250, 163.021, 163.036, 167.131, and 171.031, RSMo, and to enact in lieu thereof thirty-five new sections relating to elementary and secondary education, with an emergency clause.

SB 2—By Pearce, Holsman and Nasheed.

An Act to amend chapter 130, RSMo, by adding thereto one new section relating to campaign contribution limits.

SB 3—By Pearce.

An Act to repeal section 304.820, RSMo, and to enact in lieu thereof one new section relating to the use of electronic wireless communications devices while operating a motor vehicle, with existing penalty provisions.

SB 4—By Schmitt.

An Act to repeal sections 143.011 and 143.022, RSMo, and to enact in lieu thereof two new sections relating to income taxes.

SB 5—By Schmitt, Nasheed and Dempsey.

An Act to repeal section 302.341, RSMo, and to enact in lieu thereof one new section relating to the distribution of revenues from traffic violations, with an existing penalty provision.

SB 6—By Keaveny.

An Act to repeal section 163.018, RSMo, and section 163.011 as enacted by house bill no. 1689, ninety-seventh general assembly, second regular session, and to enact in lieu thereof two new sections relating to state funding for education, with an emergency clause.

SB 7—By Keaveny.

An Act to repeal section 163.031 as enacted by house bill no. 1689, ninety-seventh general assembly, second regular session, and to enact in lieu thereof one new section relating to state funding for elementary and secondary education, with an emergency clause.

SB 8—By Schaaf.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health care price transparency.

SB 9—By Schaaf.

An Act to repeal section 208.952, RSMo, and to enact in lieu thereof one new section relating to the joint committee on MO HealthNet.

SB 10—By Schaaf.

An Act to repeal section 192.667, RSMo, and to enact in lieu thereof one new section relating to infection reporting, with existing penalty provisions.

SB 11–By Richard.

An Act to repeal sections 105.450 and 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof four new sections relating to regulating the ethical behavior of professionals engaged in political activities.

SB 12–By Munzlinger.

An Act to repeal sections 275.352, 277.040, 281.065, 304.180, 442.571, 442.586, and 537.325, RSMo, and to enact in lieu thereof thirteen new sections relating to agriculture.

SB 13–By Munzlinger.

An Act to repeal section 178.550, RSMo, and to enact in lieu thereof one new section relating to the career and technical education advisory council.

SB 14–By Munzlinger.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the transparency and accountability of public funds.

SB 15–By Dixon and LeVota.

An Act to repeal sections 136.380 and 144.021, RSMo, and to enact in lieu thereof five new sections relating to taxation.

SB 16–By Dixon.

An Act to repeal section 105.010, RSMo, and to enact in lieu thereof one new section relating to vacancies in certain public offices.

SB 17–By Dixon.

An Act to repeal sections 476.056 and 476.385, RSMo, and to enact in lieu thereof two new sections relating to court costs.

SB 18–By Kraus.

An Act to repeal section 144.021, RSMo, and to enact in lieu thereof one new section relating to notice of sales tax modifications.

SB 19–By Kraus.

An Act to repeal section 143.451, RSMo, and to enact in lieu thereof one new section relating to allocation of corporate income.

SB 20–By Kraus.

An Act to repeal section 144.054, RSMo, and to enact in lieu thereof one new section relating to a sales tax exemption for commercial laundries.

SB 21–By Chappelle-Nadal.

An Act to repeal section 44.100, section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, RSMo, and to enact in lieu thereof six new sections

relating to law enforcement officers.

SB 22—By Chappelle-Nadal.

An Act to repeal 160.011, 160.041, 160.400, 160.405, 160.415, 160.417, 162.081, 162.1250, 163.021, 163.036, 163.073, 163.410, 167.121, 167.131, 171.029, 171.031, 171.033, and 210.861, RSMo, and to enact in lieu thereof forty-three new sections relating to elementary and secondary education, with an emergency clause.

SB 23—By Chappelle-Nadal.

An Act to amend chapter 571, RSMo, by adding thereto three new sections relating to firearms, with penalty provisions.

SB 24—By Sater.

An Act to repeal section 208.040, RSMo, and to enact in lieu thereof three new sections relating to public assistance.

SB 25—By Sater.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to an income tax credit for dependent children.

SB 26—By Sater.

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to emergency administration of epinephrine by auto-injector.

SB 27—By Emery.

An Act to repeal sections 168.104, 168.110, 168.124, 168.128, 168.221, and 168.410, RSMo, and to enact in lieu thereof eight new sections relating to elementary and secondary education.

SB 28—By Emery.

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to simplified annual school report cards.

SB 29—By Emery.

An Act to repeal sections 168.124 and 168.221, RSMo, and to enact in lieu thereof one new section relating to the employment of teachers in school districts.

SB 30—By Cunningham.

An Act to repeal section 311.310, RSMo, and to enact in lieu thereof one new section relating to penalties for allowing minors to possess intoxicating liquor, with penalty provisions.

SB 31—By Cunningham.

An Act to repeal sections 217.720 and 217.722, RSMo, section 195.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 195.010 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, and to enact in lieu thereof five new sections relating to crime, with a penalty provision.

SB 32—By Cunningham.

An Act to repeal section 144.044, RSMo, and to enact in lieu thereof one new section relating to the sales of used manufactured homes.

SB 33—By Wallingford.

An Act to repeal section 197.230, RSMo, and to enact in lieu thereof one new section relating to the protection of women's health.

SB 34—By Wallingford.

An Act to repeal section 115.135 and 115.912, RSMo, and to enact in lieu thereof two new sections relating to military and overseas voter registration.

SB 35—By Wallingford.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the termination of MO HealthNet services for participants residing out of state.

SB 36—By Romine and Schatz.

An Act to repeal sections 213.010, 213.070, 213.101, 213.111, and 287.780, RSMo, and to enact in lieu thereof six new sections relating to unlawful discriminatory practices.

SB 37—By Romine.

An Act to amend chapters 511 and 514, RSMo, by adding thereto five new sections relating to settlement offers.

SB 38—By Romine.

An Act to repeal section 208.952, RSMo, and to enact in lieu thereof one new section relating to the joint committee on MO HealthNet, with penalty provisions.

SB 39—By LeVota.

An Act to repeal sections 273.325, 273.327, 273.329, 273.331, 273.333, 273.335, 273.338, 273.340, 273.342, 273.344, 273.345, 273.346, 273.347, 273.348, 273.350, 273.352, 273.354, 273.357, and 273.359, RSMo, and to enact in lieu thereof nineteen new sections relating to the licensure of animal care facilities, with existing penalty provisions.

SB 40—By LeVota.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to an earned income tax credit.

SB 41—By LeVota.

An Act to repeal sections 115.017, 115.021, 115.027, 115.029, 115.115, and 115.353, RSMo, and to enact in lieu thereof six new sections relating to elections.

SB 42—By Nasheed.

An Act to repeal section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 563.046 as enacted by senate bill no. 60, seventy-ninth general

assembly, first regular session, RSMo, and to enact in lieu thereof two new sections relating to the use of deadly force by law enforcement officers.

SB 43—By Nasheed.

An Act to amend chapter 563, RSMo, by adding thereto one new section relating to officer-involved deaths.

SB 44—By Nasheed.

An Act to repeal section 213.055, RSMo, and to enact in lieu thereof one new section relating to criminal history inquiries of applicants for employment.

SB 45—By Holsman.

An Act to amend chapter 251, RSMo, by adding thereto one new section relating to empowerment microgrants.

SB 46—By Holsman.

An Act to amend chapter 197, RSMo, by adding thereto two new sections relating to health care transparency.

SB 47—By Holsman.

An Act to amend chapter 442, RSMo, by adding thereto one new section relating to the use of solar energy systems in certain planned communities.

SB 48—By Sifton.

An Act to repeal sections 105.456 and 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to banning lobbyist gifts.

SB 49—By Sifton.

An Act to repeal sections 162.081, 167.131, 167.241, and 171.031, RSMo, and to enact in lieu thereof twenty-six new sections relating to elementary and secondary education, with an emergency clause.

SB 50—By Sifton.

An Act to repeal section 302.341, RSMo, and to enact in lieu thereof one new section relating to the distribution of revenues collected from traffic violations, with an existing penalty provision.

SB 51—By Onder.

An Act to repeal section 1.330, RSMo, and to enact in lieu thereof two new sections relating to prohibiting governments from compelling individuals to purchase health insurance and participate in health care systems.

SB 52—By Schaaf.

An Act to amend chapter 431, RSMo, by adding thereto one new section relating to restrictive physician employment covenants.

SB 53—By Schaaf.

An Act to repeal sections 197.300, 197.305, 197.310, 197.311, 197.315, 197.318, 197.325, 197.330, 197.335, 197.340, 197.345, 197.355, 197.357, 197.366, and 197.367, RSMo, section 197.326 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 197.326 as enacted by senate bills nos. 573 & 634, eighty-sixth general assembly, second regular session, and to enact in lieu thereof sixteen new sections relating to certificate of need for long-term care facilities, with existing penalty provisions.

SB 54—By Munzlinger.

An Act to repeal section 537.296, RSMo, and to enact in lieu thereof one new section relating to private nuisance actions.

SB 55—By Munzlinger.

An Act to repeal sections 144.010, 262.900, 265.300, 267.565, 276.606, and 277.020, RSMo, and to enact in lieu thereof six new sections relating to agriculture.

SB 56—By Munzlinger.

An Act to amend chapter 252, RSMo, by adding thereto one new section relating to permits issued by the department of conservation.

SB 57—By Dixon.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof two new sections relating to sales and use tax exemptions, with an effective date for a certain section.

SB 58—By Dixon.

An Act to repeal sections 8.597, 21.440, 21.445, 21.450, 21.460, 21.465, 21.530, 21.537, 21.820, 21.830, 21.835, 21.850, 21.920, 30.953, 30.954, 30.956, 30.959, 30.962, 30.965, 30.968, 30.971, 33.150, 33.710, 33.850, 37.250, 43.518, 99.863, 99.971, 99.1057, 160.530, 167.195, 191.828, 191.934, 192.632, 208.952, 215.261, 215.262, 217.550, 217.567, 313.001, 320.092, 338.321, 348.439, 361.120, and 630.010, RSMo, and section 105.955 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and to enact in lieu thereof twelve new sections relating to the existence of certain committees.

SB 59—By Dixon.

An Act to repeal sections 21.110, 28.190, 29.280, 30.060, and 105.050, RSMo, and to enact in lieu thereof seven new sections relating to vacancies in certain public offices.

SB 60—By Chappelle-Nadal.

An Act to amend chapter 571, RSMo, by adding thereto three new sections relating to weapons, with penalty provisions.

SB 61—By Chappelle-Nadal.

An Act to amend chapter 170, RSMo, by adding thereto four new sections relating to violence prevention education in elementary and secondary schools.

SB 62—By Chappelle-Nadal.

An Act to amend chapter 292, RSMo, by adding thereto one new section relating to workplace violence,

with a penalty provision.

SB 63—By Sater.

An Act to repeal section 195.015 as enacted by senate bills nos. 215 & 58, eighty-fifth general assembly, first regular session, section 195.050 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 195.050 as enacted by senate bills nos. 215 & 58, eighty-fifth general assembly, first regular session, RSMo, and to enact in lieu thereof ten new sections relating to a prescription drug monitoring program, with penalty provisions.

SB 64—By Emery.

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to school district classification designations.

SB 65—By Emery.

An Act to amend chapter 135, RSMo, by adding thereto seven new sections relating to scholarships for eligible students to attend certain nonpublic schools.

SB 66—By Emery.

An Act to repeal sections 106.030, 106.040, 106.070, 106.080, 106.090, 106.100, 106.110, 106.120, 106.130, 106.150, 106.160, 106.170, 106.180, 106.200, and 106.210, RSMo, and to enact in lieu thereof twelve new sections relating to impeachment trials, with a contingent effective date.

SB 67—By Cunningham.

An Act to amend chapter 488, RSMo, by adding thereto one new section relating to court costs.

SB 68—By Romine.

An Act to repeal section 349.045, RSMo, and to enact in lieu thereof one new section relating to boards of directors for industrial development corporations.

SB 69—By LeVota.

An Act to repeal section 115.353, RSMo, and to enact in lieu thereof one new section relating to boards of elections.

SB 70—By LeVota.

An Act to repeal section 167.131, RSMo, and to enact in lieu thereof two new sections relating to school accreditation, with an emergency clause.

SB 71—By LeVota.

An Act to repeal section 160.545, RSMo, and to enact in lieu thereof one new section relating to reimbursements for dual credit courses.

SB 72—By Nasheed.

An Act to repeal section 80.020, RSMo, and to enact in lieu thereof two new sections relating to the disincorporation of villages in St. Louis County.

SB 73—By Holsman.

An Act to repeal section 137.106, RSMo, and to enact in lieu thereof one new section relating to the

Missouri homestead preservation act.

SB 74—By Holsman.

An Act to amend chapter 8, RSMo, by adding thereto one new section relating to energy efficiency improvements to certain state buildings.

SB 75—By Holsman.

An Act to repeal section 386.890, RSMo, and to enact in lieu thereof one new section relating to energy.

SB 76—By Sifton.

An Act to repeal section 650.055, RSMo, and to enact in lieu thereof one new section relating to the collection of biological samples from individuals arrested for felony offenses.

SB 77—By Sifton.

An Act to repeal section 137.106, RSMo, and to enact in lieu thereof one new section relating to the Missouri homestead preservation act.

SB 78—By Sifton.

An Act to repeal section 376.1210, RSMo, and to enact in lieu thereof one new section relating to maternity health insurance coverage.

SB 79—By Dixon.

An Act to repeal sections 1.020, 56.010, 56.805, and 56.814, RSMo, and to enact in lieu thereof ten new sections relating to prosecutors.

SB 80—By Dixon.

An Act to repeal sections 1.020, 56.010, 56.060, 56.066, 56.067, 56.265, 56.363, 56.640, 56.700, 56.805, 56.807, 56.814, 56.816, 70.010, 70.060, and 70.090, RSMo, and to enact in lieu thereof eighteen new sections relating to prosecuting attorneys.

SB 81—By Dixon.

An Act to repeal sections 478.430 and 478.433, RSMo, and to enact in lieu thereof one new section relating to judicial personnel.

SB 82—By Chappelle-Nadal.

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

SB 83—By Chappelle-Nadal.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to workforce development.

SB 84—By Chappelle-Nadal.

An Act to repeal section 161.022, RSMo, and to enact in lieu thereof one new section relating to term limits for state board of education members.

SB 85—By Emery.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet behavioral health providers.

SB 86—By Emery.

An Act to amend chapter 455, RSMo, by adding thereto one new section relating to electronic monitoring of persons who have been charged with or found guilty of violating protection orders, with an effective date.

SB 87—By Emery.

An Act to repeal section 29.230, RSMo, and to enact in lieu thereof one new section relating to audits of political subdivisions.

SB 88—By LeVota.

An Act to repeal section 105.010, RSMo, and to enact in lieu thereof one new section relating to the term of office for appointed officers.

SB 89—By LeVota.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health insurance premium rate reviews.

SB 90—By LeVota.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet services.

SB 91—By Dixon.

An Act to repeal sections 600.042 and 600.101, RSMo, and to enact in lieu thereof two new sections relating to the state public defender system.

SB 92—By Emery.

An Act to repeal sections 52.010, 54.040, and 54.330, RSMo, and to enact in lieu thereof three new sections relating to bond requirements for certain county candidates.

SB 93—By Emery.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to free speech at public institutions of higher education.

SB 94—By Emery.

An Act to amend chapter 104, RSMo, by adding thereto one new section relating to retirement benefits for elected officials.

SB 95—By LeVota.

An Act to repeal section 324.001, RSMo, and to enact in lieu thereof one new section relating to procedures under the division of professional registration.

SB 96—By LeVota.

An Act to amend chapter 130, RSMo, by adding thereto one new section relating to campaign contribution limits.

SB 97—By LeVota.

An Act to repeal section 105.955 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.955 as enacted by senate bills nos. 31 & 285, ninety-second general assembly, first regular session, section 105.959 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.959 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, section 105.961 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.961 as enacted by senate bill no. 16, ninety-first general assembly, first regular session, RSMo, and to enact in lieu thereof four new sections relating to ethics, with existing penalty provisions.

SB 98—By Emery.

An Act to repeal sections 143.111 and 408.010, RSMo, and to enact in lieu thereof two new sections relating to legal tender.

SB 99—By LeVota.

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to illegal conduct involving prescription medications, with penalty provisions.

SB 100—By LeVota.

An Act to repeal section 610.140, RSMo, and to enact in lieu thereof one new section relating to the expungement of certain criminal records.

SB 101—By LeVota.

An Act to repeal section 82.300, RSMo, and to enact in lieu thereof one new section relating to the authority of certain constitutional charter cities to adopt certain types of ordinances.

SB 102—By LeVota.

An Act to repeal section 23.140, RSMo, and to enact in lieu thereof one new section relating to the preparation of fiscal notes by the oversight division of the committee on legislative research.

SB 103—By LeVota.

An Act to repeal section 324.001, RSMo, and to enact in lieu thereof one new section relating to the disclosure of licensee information under the division of professional registration.

SB 104—By Kraus.

An Act to repeal sections 116.190, RSMo, and to enact in lieu thereof one new section relating to actions challenging initiatives and referendums.

SB 105—By Kraus.

An Act to repeal sections 115.275, 115.277, 115.291, and 115.940, RSMo, and to enact in lieu thereof three new sections relating to absentee ballots for military and overseas voters.

SB 106—By Kraus.

An Act to amend chapters 28 and 67, RSMo, by adding thereto two new sections relating to business origination requirements.

SB 107—By Sater.

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to opinions issued by boards or commissions under the division of professional registration.

SB 108—Withdrawn.

SB 109—By Schaefer.

An Act to repeal section 105.716, RSMo, and to enact in lieu thereof one new section relating to the state legal expense fund.

SB 110—By Schaefer.

An Act to repeal section 172.300, RSMo, and to enact in lieu thereof one new section relating to the board of curators of the University of Missouri.

SB 111—By Schaaf.

An Act to amend chapter 195, RSMo, by adding thereto six new sections relating to a prescription drug monitoring program, with penalty provisions.

SB 112—By Dixon.

An Act to repeal sections 192.2260, 301.559, 339.100, 400.9-501, 565.030, 565.032, 565.040, 571.020, 571.030, 571.060, 571.063, 571.070, 571.072, and 632.520, RSMo, and to enact in lieu thereof fourteen new sections relating to the sole purpose of restructuring the Missouri criminal code, with penalty provisions, and an effective date.

SB 113—By Dixon.

An Act to repeal sections 30.750, 173.003, 173.051, 173.236, 173.239, 173.254, 173.260, 173.262, 173.778, and 174.770, RSMo, and to enact in lieu thereof ten new sections relating to references to higher education statutes that were previously repealed.

SB 114—By Kraus.

An Act to repeal section 99.848, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

SB 115—By Kraus.

An Act to repeal section 143.801, RSMo, and to enact in lieu thereof one new section relating to limitations on income tax credits or refunds.

SB 116—By Kraus.

An Act to repeal section 167.020, RSMo, and to enact in lieu thereof one new section relating to school district residency for children of certain military members, with existing penalty provisions.

SB 117–By Brown.

An Act to repeal sections 115.125, 115.127, 115.317, 115.341, 115.363, 115.367, 115.373, and 115.381, RSMo, and to enact in lieu thereof seven new sections relating to special elections.

SB 118–By Brown.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the implementation of copayments for Mo HealthNet participants who use the hospital emergency department for nonemergency services.

SB 119–By Brown.

An Act to repeal sections 196.976 and 196.984, RSMo, and to enact in lieu thereof two new sections relating to the prescription drug repository.

SB 120–By Walsh.

An Act to repeal section 595.209, RSMo, and to enact in lieu thereof three new sections relating to law enforcement officers.

SB 121–By Walsh.

An Act to amend chapters 67 and 77, RSMo, by adding thereto two new sections relating to the regulation of residential rental property in certain cities.

SB 122–By Walsh.

An Act to amend chapter 194, RSMo, by adding thereto one new section relating to a health care directives registry.

SB 123–By Schupp.

An Act to repeal section 130.044 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.044 as enacted by senate bill no. 1038, ninety-fourth general assembly, second regular session, and to enact in lieu thereof three new sections relating to ethics reform.

SB 124–By Schupp.

An Act to amend chapter 130, RSMo, by adding thereto one new section relating to disclosure requirements.

SB 125–By Schupp.

An Act to repeal section 208.991, RSMo, and to enact in lieu thereof one new section relating to the MO HealthNet program.

SB 126–By Brown.

An Act to repeal section 105.525, RSMo, and to enact in lieu thereof one new section relating to collective bargaining representatives, with a referendum clause.

SB 127–By Brown.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with a referendum clause and penalty provisions.

SB 128—By Brown.

An Act to repeal sections 290.210, 290.220, 290.230, 290.240, 290.250, 290.260, 290.262, 290.263, 290.265, 290.270, 290.280, 290.290, 290.300, 290.305, 290.315, 290.320, 290.325, 290.330, 290.335, and 290.340, RSMo, relating to public contracts, with a referendum clause.

SB 129—By Brown.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with a referendum clause.

SB 130—By Walsh and Schupp.

An Act to amend chapter 285, RSMo, by adding thereto ten new sections relating to domestic violence.

SB 131—By Parson.

An Act to repeal section 304.180, RSMo, and to enact in lieu thereof one new section relating to weight limitations on vehicles hauling livestock.

SB 132—By Parson.

An Act to repeal section 281.065, RSMo, and to enact in lieu thereof one new section relating to evidence of financial responsibility for certified commercial pesticide applicators.

SB 133—By Parson.

An Act to repeal section 537.325, RSMo, and to enact in lieu thereof one new section relating to livestock activities.

SB 134—By Holsman.

An Act to repeal section 130.031 as enacted by senate bills nos. 31 & 285, ninetieth general assembly, first regular session, RSMo, and to enact in lieu thereof twenty-two new sections relating to campaign finance, with a referendum clause and penalty provisions.

SB 135—By Holsman.

An Act to amend chapter 302, RSMo, by adding thereto one new section relating to the operation of motorcycles and motortricycles.

SB 136—By Sifton.

An Act to repeal sections 115.275, 115.279, and 115.291, RSMo, and to enact in lieu thereof three new sections relating to absentee voting for emergency workers, with an emergency clause.

SB 137—By Parson.

An Act to repeal section 277.040, RSMo, and to enact in lieu thereof one new section relating to license fees collected by the department of agriculture.

SB 138—By Parson.

An Act to repeal section 275.352, RSMo, relating to beef commodity merchandising program fees.

SB 139—By Parson and Kehoe.

An Act to amend chapter 261, RSMo, by adding thereto six new sections relating to the dairy industry.

SB 140—By Parson.

An Act to repeal section 537.067, RSMo, and to enact in lieu thereof one new section relating to joint and several liability.

SB 141—By Parson.

An Act to repeal section 595.030, RSMo, and to enact in lieu thereof one new section relating to the crime victims' compensation program.

SB 142—By Romine.

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to state implementation plans.

SB 143—By Romine.

An Act to repeal sections 578.005, 578.007, and 578.011, RSMo, and to enact in lieu thereof three new sections relating to the offense of animal or livestock trespass, with penalty provisions.

SB 144—By LeVota.

An Act to amend chapter 286, RSMo, by adding thereto one new section relating to pay equality guidelines to be developed by the department of labor and industrial relations.

SB 145—By Pearce.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the treatment of eating disorders.

SB 146—By Pearce.

An Act to repeal sections 345.015, 345.020, 345.022, 345.025, 345.040, 345.050, 345.051, 345.065, and 345.080, RSMo, and to enact in lieu thereof eight new sections relating to the licensing of speech-language pathologists and audiologists, with existing penalty provisions.

SB 147—By Schaaf.

An Act to repeal sections 105.450, 105.470, 105.478, and 575.021, RSMo, sections 105.456 and 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session, section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof nine new sections relating to the regulation of the ethical behavior of professionals engaged in political activities, with penalty provisions.

SB 148—By Parson.

An Act to repeal section 351.120, RSMo, and to enact in lieu thereof one new section relating to corporate registration reports for farm corporations.

SB 149—By Parson.

An Act to amend chapters 67 and 144, RSMo, by adding thereto two new sections relating to tax incentives for data storage centers.

SB 150—By Parson.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to a sales tax exemption for motor vehicles.

SB 151—By Sater.

An Act to repeal sections 208.152 and 208.201, RSMo, and to enact in lieu thereof two new sections relating to public medical assistance.

SB 152—By Wallingford.

An Act to repeal sections 29.380, 260.200, 260.225, 260.235, 260.250, 260.320, 260.325, 260.330, 260.335, and 260.345, RSMo, and to enact in lieu thereof eleven new sections relating to solid waste.

SB 153—By Wallingford.

An Act to repeal section 354.603, RSMo, and to enact in lieu thereof one new section relating to the accreditation of managed care plans.

SB 154—By Wallingford.

An Act to amend chapter 324, RSMo, by adding thereto seven new sections relating to licensure requirements of music therapists, with penalty provisions.

SB 155—By Nasheed.

An Act to amend chapter 589, RSMo, by adding thereto one new section relating to neighborhood safety.

SB 156—By Nasheed.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the “Theodore McNeal Highway”.

SB 157—By Wallingford.

An Act to repeal sections 274.170, 274.190, 347.055, 347.160, 347.179, 347.740, 351.049, 351.065, 351.120, 351.122, 351.125, 351.127, 351.522, 351.576, 351.657, 351.658, 351.1015, 351.1018, 351.1213, 355.011, 355.021, 355.023, 355.703, 355.857, 356.211, 356.233, 357.010, 357.030, 357.060, 358.440, 358.460, 358.470, 358.501, 359.145, 359.531, 359.641, 359.651, 359.653, 392.010, 417.016, 417.018, 417.021, 417.026, 417.031, 417.170, 417.175, and 417.220, RSMo, and to enact in lieu thereof forty-three new sections relating to business filing fees collected by the secretary of state, with existing penalty provisions.

SB 158—By Schaefer.

An Act to repeal section 565.032, RSMo, and to enact in lieu thereof one new section relating to statutory aggravating circumstances for murder in the first degree.

SB 159—By Parson.

An Act to repeal sections 381.022 and 381.058, RSMo, and to enact in lieu thereof two new sections relating to title insurance.

SB 160—By Brown.

An Act to repeal sections 393.140 and 393.150, RSMo, and to enact in lieu thereof two new sections relating to rates of return on equity for corporations regulated by the public service commission, with an existing penalty provision.

SB 161—By Nasheed.

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof two new sections relating to school district procedures.

SB 162—By Nasheed.

An Act to amend chapter 99, RSMo, by adding thereto one new section relating to tax increment financing.

SB 163—By Nasheed.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for pet adoption.

SB 164—By Sifton.

An Act to repeal section 513.430, RSMo, and to enact in lieu thereof one new section relating to the exemption from attachment and execution of matured life insurance proceeds.

SB 165—By Nasheed.

An Act to amend chapter 610, RSMo, by adding thereto one new section relating to expungement of criminal records.

SB 166—By Nasheed.

An Act to repeal section 301.3165, RSMo, and to enact in lieu thereof one new section relating to special license plates.

SB 167—By Schaaf.

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to reimbursement allowance taxes, with expiration dates.

SB 168—By Munzlinger.

An Act to repeal sections 151.020, 151.080, 151.090, 151.120, 151.140, 151.170, 151.190, 151.200, 151.210, and 151.220, RSMo, and to enact in lieu thereof ten new sections relating to taxation of railroads, with an existing penalty provision.

SB 169—By Schaaf.

An Act to repeal sections 115.057, 115.279, and 115.427, RSMo, and to enact in lieu thereof three new sections relating to voting procedures.

SB 170—By Kraus.

An Act to repeal sections 115.277, 115.279, 115.427, and 115.430, RSMo, and to enact in lieu thereof four new sections relating to voting procedures, with a contingent effective date.

SB 171—By Romine.

An Act to repeal sections 161.094 and 161.095, RSMo, and to enact in lieu thereof two new sections relating to high school equivalency degree testing.

SB 172—By Romine.

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to establishment of a career and technical education diploma.

SB 173—By Romine.

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to state funding for small school districts.

SB 174—By Schmitt.

An Act to amend chapter 166, RSMo, by adding thereto ten new sections relating to the Missouri Achieving a Better Life Experience program.

SB 175—By Schmitt.

An Act to repeal section 67.010, RSMo, and to enact in lieu thereof one new section relating to political subdivisions.

SB 176—By Schmitt.

An Act to repeal section 479.190, RSMo, and to enact in lieu thereof one new section relating to municipal courts.

SB 177—By Munzlinger.

An Act to amend chapters 135 and 262, RSMo, by adding thereto six new sections relating to programs for beginning farmers.

SB 178—By Munzlinger.

An Act to repeal sections 144.010, 262.900, 265.300, 265.420, 267.565, and 277.020, RSMo, and to enact in lieu thereof eight new sections relating to captive cervids.

SB 179—By Sater.

An Act to amend chapter 650, RSMo, by adding thereto seven new sections relating to the Missouri child protection registry, with penalty provisions and an effective date.

SB 180—By Chappelle-Nadal.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for pet adoptions.

SB 181—By Curls.

An Act to repeal section 534.030, RSMo, and to enact in lieu thereof one new section relating to foreclosure notice to tenants.

SB 182—By Curls.

An Act to repeal section 535.300, RSMo, and to enact in lieu thereof one new section relating to security

deposits.

SB 183—By Curls.

An Act to repeal sections 50.340, 95.535, 204.628, 407.935, 428.019, 442.018, 443.290, 443.300, 443.310, 443.320, 443.325, 443.327, 443.355, 443.380, 443.390, 443.410, 448.080, 448.3-116, 456.003, 493.055, 493.100, and 516.150, RSMo, and to enact in lieu thereof twelve new sections relating to nonjudicial foreclosure proceedings.

SB 184—By LeVota.

An Act to repeal sections 274.170, 347.055, 347.160, 347.179, 347.183, 347.740, 351.049, 351.127, 351.488, 351.522, 351.604, 351.658, 351.1015, 351.1018, 351.1021, 351.1213, 355.021, 355.023, 355.703, 356.233, 358.440, 358.460, 358.470, 359.145, 359.531, 359.641, 359.651, 359.653, 359.681, 417.016, 417.018, and 417.021, RSMo, and to enact in lieu thereof thirty-nine new sections relating to business filing fees collected by the secretary of state, with existing penalty provisions.

SB 185—By LeVota.

An Act to repeal sections 23.140, 23.150, and 33.282, RSMo, and to enact in lieu thereof five new sections relating to the state budget.

SB 186—By Curls.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet services.

SB 187—By Curls.

An Act to repeal sections 367.509, 408.500, and 408.505, RSMo, and to enact in lieu thereof four new sections relating to small loans, with an existing penalty provision.

SB 188—By Curls.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to training provided to inmates in correctional centers.

SB 189—By Curls.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to the duties of the board of probation and parole.

SB 190—By Curls.

An Act to repeal section 92.402, RSMo, and to enact in lieu thereof one new section relating to public mass transportation sales taxes.

SB 191—By Curls.

An Act to amend chapter 172, RSMo, by adding thereto one new section relating to the establishment of a center to conduct applied urban research and outreach.

SB 192—By Munzlinger.

An Act to repeal section 537.765, RSMo, and to enact in lieu thereof one new section relating to products liability.

SB 193—By LeVota.

An Act to repeal section 290.502, RSMo, and to enact in lieu thereof one new section relating to the minimum wage.

SJR 1—By Munzlinger.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 40(a) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the conservation commission.

SJR 2—By Dixon.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 4, 5, 6, 7, 10, and 13 of article III of the Constitution of Missouri, and adopting six new sections in lieu thereof relating to legislative redistricting.

SJR 3—By Chappelle-Nadal.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 30(a), 30(b), 31, 32(a), 32(b), 32(c), and 33 of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the city and county of St. Louis.

SJR 4—By Emery.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 2 of article VII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to impeachment trials.

SJR 5—By Kraus.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to voter photo identification.

SJR 6—By Curls.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 3 of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the creation of show-me small business districts.

SJR 7—By Richard.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, adopting one new section relating to punitive damages.

COMMITTEE APPOINTMENTS

President Pro Tem Dempsey submitted the following committee appointments:

Administration

Dempsey, Chair
Richard, Vice-chair
Kehoe
Keaveny
Walsh

Gubernatorial Appointments

Dempsey, Chair
Richard, Vice-chair
Emery
Munzlinger

Schaaf
 Schatz
 Schmitt
 Curls
 LeVota
 Nasheed

Rules, Joint Rules, Resolutions and Ethics

Richard, Chair
 Dempsey, Vice-chair
 Dixon
 Libla
 Wallingford
 LeVota
 Walsh

REMONSTRANCES

Senator Chappelle-Nadal offered the following remonstrance, which was read:

SENATE REMONSTRANCE NO. 1

Whereas, in November of 2008, Jeremiah “Jay” Nixon was elected Governor of the great state of Missouri; and

Whereas, earlier in his political career, Mr. Nixon served as a Missouri State Senator as well as the state Attorney General; and

Whereas, during his numerous years as an elected official, Mr. Nixon has consistently exhibited a prideful disengagement from African American issues as well as an extraordinary level of personal disdain for African American concerns; and

Whereas, Mr. Nixon seems only to acknowledge the existence of the African American community on or about Election Day; and

Whereas, Mr. Nixon, as state Attorney General, filed a motion in district court to end the St. Louis school desegregation program under which Black students from the city were bused to county school districts, an action which sought to re-segregate and make permanent the St. Louis area public schools' lack of equality; and

Whereas, in October 2014, Mr. Nixon acknowledged in a speech that he had long understood (and had in fact lived) the evil of “separate and unequal” growing up in Missouri; and

Whereas, to that end, Mr. Nixon stated that in his small town: “the railroad tracks were the racial dividing line: whites on one side, blacks on the other. Separate and unequal. It was the way things were”; and

Whereas, by filing such a motion to end the St. Louis Desegregation Program, with his intense, personal knowledge of the great immorality of “separate and unequal”, Mr. Nixon willingly and effectively aligned himself with former Alabama Governor George C. Wallace, who, during his Inauguration address, famously declared “Segregation now, Segregation tomorrow, Segregation forever!”; and

Whereas, in 2014, when the General Assembly passed bipartisan legislation which sought to offer students trapped in failing schools a hierarchy of options to attend higher quality schools, Mr. Nixon vetoed such legislation, another demonstration of his disdain for children of color; and

Whereas, the segregated and unequal nature of the St. Louis area schools is one of the root causes of the civil unrest in Ferguson, Missouri; and

Whereas, with the tragedy unfolding in Ferguson, Mr. Nixon has repeatedly exhibited failed leadership on numerous occasions; and

Whereas, Mr. Nixon, during his term as Governor, has demonstrated his willingness to respond quickly to natural disasters, but has been missing in action when faced with human disasters, especially human disasters plaguing communities of color; and

Whereas, Mr. Nixon took far too long to acknowledge the seriousness of Michael Brown's murder; and

Whereas, Mr. Nixon disregarded multiple requests from the Black community to appoint a special prosecutor so that the shooting of

Michael Brown might be justly investigated; and

Whereas, fifteen days came and went from the day Mr. Brown was murdered until Mr. Nixon reluctantly visited Ground Zero; and

Whereas, it took a call from the President of the United States before Mr. Nixon grudgingly canceled his appearance at a ham breakfast in rural Missouri and finally made a brief appearance in Ferguson; and

Whereas, Mr. Nixon failed to act despite the fact that the President of the United States as well as the entire nation was aware of the need for attention to the seriousness of Michael Brown's killing; and

Whereas, Mr. Nixon's lack of empathy and open disdain for the plight of minority communities is consistent with the institutional racism that is prevalent in Missouri state government today; and

Whereas, in one of the most egregious examples of institutional racism, Mr. Nixon created the Office of Community Engagement and the Ferguson Commission, a naked act of self-serving racial politics and political pandering; and

Whereas, Mr. Nixon has been a state government official for over thirty years, and in that time has seemed wholly unconcerned with the plight of minority communities until the cities of Ferguson and Dellwood caught fire; and

Whereas, Mr. Nixon created these new entities only in the wake of negative media attention over his botched response to the crisis in Ferguson, a thinly-veiled, transparent, hollow, and cynical political maneuver aimed at deflecting the negative media attention he has rightfully received for his lack of leadership; and

Whereas, Mr. Nixon, despite possessing a law degree, has demonstrated a clear disregard for the First Amendment to the United States Constitution; and

Whereas, to that end, Mr. Nixon has supported the imposition of a curfew for peaceful protesters; and

Whereas, despite his law degree and years serving as the Attorney General, Mr. Nixon has supported an unconstitutional "5 second rule" adopted by law enforcement, in which officers were instructed to tell protesters they had to keep moving or face arrest; and

Whereas, U.S. District Court Judge Catherine D. Perry ruled that "the practice of requiring peaceful demonstrators and others to walk, rather than stand still, violated the Constitution"; and

Whereas, Mr. Nixon has treated minority citizens as insurgents; and

Whereas, Mr. Nixon has failed to take responsibility for the police tactics used by law enforcement in the state under his watch; and

Whereas, Mr. Nixon condoned law enforcement's practice of "hog-tying" peaceful protesters; and

Whereas, one such peaceful protester, an unconscious pregnant women, was kicked by police officers while hog-tied; and

Whereas, Mr. Nixon ordered the National Guard to Ferguson to protect the property of Ferguson prior to the indictment announcement by County Prosecutor Bob McCulloch; and

Whereas, after the indictment announcement, despite Mr. Nixon's promise to business owners, the National Guard was in fact NOT stationed in Ferguson (ground zero) or Dellwood and, as a result, both cities went up in flames; and

Whereas, by deciding not to deploy the Missouri National Guard to West Florissant on the day of the Grand Jury announcement, Mr. Nixon permitted several businesses to burn, including an office where the Senator from the 14th taught civic engagement classes to Ferguson residents; and

Whereas, as a result of Mr. Nixon's broken promise to business owners, the State of Missouri will be obligated for millions of dollars to repair the damages; and

Whereas, since Mr. Nixon refused to properly deploy the National Guardsmen, who were ordered to remain at the armory, brave fire fighters were shot at in the course of performing their duty, facing life-threatening attacks by agitators; and

Whereas, in failing to take responsibility for his recurrent poor decision-making throughout the catastrophe in Ferguson and elsewhere, Mr. Nixon has demonstrated his inherent disregard for the responsibilities associated with, and his lack of fitness for, the lofty position he unfortunately holds:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, hereby remonstrate against Governor Nixon for his failed and incompetent leadership; and

Be It Further Resolved that for the reasons expressed above and many others, the Missouri Senate hereby strongly recommends that Mr. Nixon resign his position immediately; and

Be It Further Resolved that if Mr. Nixon fails to resign, the Missouri House of Representatives should strongly consider impeaching the Governor for willful neglect of duty and incompetence, as the great state of Missouri cannot afford to bear the costs of his failed leadership; and

Be It Further Resolved that the Secretary of the Senate be instructed to send a copy of this remonstrance to the Governor and to each member of the Missouri House of Representatives.

CONCURRENT RESOLUTIONS

Senator Nasheed offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 1

Relating to recognition of January as sex trafficking awareness month.

Whereas, sex trafficking is a modern-day form of slavery in which psychological and physical coercion is used to force people to engage in commercial sex acts; and

Whereas, the Justice Department has identified St. Louis as a major hub of sex trafficking; and

Whereas, the average victim of sex trafficking is thirteen years old; and

Whereas, sex traffickers have been luring young girls and boys into the sex trade industry through the internet or by meeting adolescents on the street through promises of a better life, a place to stay, friendship, and money; and

Whereas, these girls and boys, once lured into the sex trade industry, often suffer beatings, rape, are held in isolation in deplorable conditions, and are forbidden from leaving their room unless they're with their trafficker; and

Whereas, the average person in the commercial sex industry only lives for seven years after being lured into the trade; and

Whereas, federal officials estimate there are hundreds of thousands of victims of sex trafficking; and

Whereas, children from all socioeconomic backgrounds are at risk of becoming victims of sex trafficking; and

Whereas, increasing awareness of the problem of sex trafficking in Missouri will help people identify victims of sex trafficking and educate parents, teachers, and children of the dangers and risks in order to prevent more people from becoming victims:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby designate January as sex trafficking awareness month in Missouri; and

Be It Further Resolved that the General Assembly encourages and recommends that people of the State of Missouri observe sex trafficking awareness month through appropriate activities to increase awareness of sex trafficking; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

Senator Nasheed offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 2

Relating to recognition of November as Pica Awareness Month in Missouri.

WHEREAS, the word pica is derived from the Latin word for magpie, a bird known for its large and indiscriminate appetite; and

WHEREAS, Pica is also the name of an eating disorder which is identified by the persistent craving and compulsive eating of nonedible food substances such as chalk, hair, dirt, sand and even household cleaners; and

WHEREAS, Pica is most common in people with developmental disabilities, including autism, and in children between the ages of two and three; and

WHEREAS, Pica can also affect adults, pregnant women, people with epilepsy, traumatic brain injuries, or poor nutrition and low blood levels of iron or other minerals; and

WHEREAS, it remains difficult to identify Pica as many sufferers consume the substances in secret and physicians can have a difficult time identifying the cause of Pica-related health problems; and

WHEREAS, such symptoms and side effects include iron-deficiency anemia, lead or other poisoning, bowel obstruction, and even death; and

WHEREAS, there are no known methods of preventing Pica but when Pica is known or suspected, measures can be taken to reduce further ingestion of the nonfood substances; and

WHEREAS, parents should monitor the food and other substances that their children consume, particularly children who eat paint chips in homes with lead paint as such consumption can lead to lead poisoning; and

WHEREAS, the establishment of Pica Awareness Month would provide an appropriate venue to communicate an important message to the public about this largely unknown but potentially extremely harmful eating disorder to ensure affected persons are accurately diagnosed and treated:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby recognize each year the month of November as "Pica Awareness Month"; and

BE IT FURTHER RESOLVED that the citizens of the state of Missouri are encouraged to participate in appropriate activities such as wearing the color orange to raise awareness of Pica; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

SB 194—By Richard.

An Act to repeal section 135.155, RSMo, and to enact in lieu thereof one new section relating to tax credits for business facilities.

SB 195—By Schmitt.

An Act to repeal section 135.800, RSMo, and to enact in lieu thereof one new section relating to tax incentives.

SB 196—By Schaaf.

An Act to amend chapter 43, RSMo, by adding thereto one new section relating to automated law enforcement.

SB 197—By Brown.

An Act to repeal section 208.952, RSMo, and to enact in lieu thereof one new section relating to the joint committee on MO HealthNet, with penalty provisions.

SB 198—By Brown.

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to patch-through telephone calls.

SB 199—By Dixon.

An Act to repeal section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 563.046 as enacted by senate bill no. 60, seventy-ninth general

assembly, first regular session, RSMo, and to enact in lieu thereof two new sections relating to the use of deadly force by law enforcement officers, with an emergency clause for certain sections.

SB 200—By Dixon.

An Act to repeal sections 565.020, 565.030, 565.032, and 565.040, RSMo, section 556.061 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 556.061 as enacted by house bill no. 215 merged with house bill no. 505, ninety-seventh general assembly, first regular session, and to enact in lieu thereof seven new sections relating to first degree murder, with penalty provisions, an emergency clause for certain sections and an effective date for certain sections.

SB 201—By Dixon.

An Act to repeal sections 221.160 and 550.030, RSMo, and to enact in lieu thereof two new sections relating to the costs of imprisonment.

SB 202—By Dixon.

An Act to repeal section 57.111, RSMo, and to enact in lieu thereof one new section relating to the authority of sheriffs and deputy sheriffs to render assistance in other counties.

SB 203—By Dixon.

An Act to repeal section 29.235, RSMo, and to enact in lieu thereof one new section relating to the authority of the office of state auditor.

SB 204—By Parson.

An Act to repeal section 376.2004, RSMo, and to enact in lieu thereof one new section relating to health exchange navigator licensing, with a penalty provision.

SB 205—By Parson.

An Act to repeal sections 382.010, 382.040, 382.050, 382.060, 382.080, 382.095, 382.110, 382.160, 382.170, 382.180, 382.190, 382.195, 382.220, and 382.230, RSMo, and to enact in lieu thereof seventeen new sections relating to insurance holding companies, with a penalty provision.

SB 206—By Parson.

An Act to amend chapter 382, RSMo, by adding thereto eleven new sections relating to own risk and solvency assessment in connection with the business of insurance.

SJR 8—By Schmitt.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 20 (a) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to passage of bills in a regular session general assembly.

SJR 9—By Schmitt.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27 (a) of article IV of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to the state budget.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2014, while the Senate was not in session.

Terry R. Adams, Democrat, 14 Charlemagne Court, Lake Saint Louis, Saint Charles County, Missouri 63367, as a member of the State Lottery Commission, for a term ending September 7, 2015, and until his successor is duly appointed and qualified; vice, Gina Hoagland, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 19, 2014, while the Senate was not in session.

Andrew (Butch) Albert, 81 Arrowhead Beach Road, Lake Ozark, Miller County, Missouri 65049, as Chairman of the State Board of Mediation, for a term ending April 1, 2017, and until his successor is duly appointed and qualified; vice, James Avery, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 2, 2014, while the Senate was not in session.

John Albright, Republican, 40 Brookhaven Court, Sunrise Beach, Camden County, Missouri 65079, as a member of the Missouri Community Service Commission, for a term ending December 15, 2016, and until his successor is duly appointed and qualified; vice, John Albright, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 22, 2014, while the Senate was not in session.

Jeffrey P. Appleman, Republican, 444 Hilltop Meadows, Jackson, Cape Girardeau County, Missouri 63755, as a member of the State Board of Podiatric Medicine, for a term ending July 1, 2018, and until his successor is duly appointed and qualified; vice, Jeffrey Appleman, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2014, while the Senate was not in session.

Judene R. Blackburn, Independent, 23226 Reporter Rd, Waynesville, Pulaski County, Missouri 65583, as a member of the State Lottery Commission, for a term ending September 7, 2016, and until her successor is duly appointed and qualified; vice, Pamela Wright, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 2, 2014, while the Senate was not in session.

Steven D. Bodenhamer, Republican, 7128 East Division Street, Springfield, Greene County, Missouri 65802, as a member of the Missouri Public Entity Risk Management Fund Board of Trustees, for a term ending July 15, 2015, and until his successor is duly appointed and qualified; vice, Marc H. Ellinger, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 6, 2015, while the Senate was not in session.

Oliver Glenn Boyer, 301 Ninth Street, Crystal City, Jefferson County, Missouri 63019, as a member of the Missouri Veterans' Commission, for a term ending November 2, 2017, and until his successor is duly appointed and qualified; vice, Emmett W. Fairfax, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 24, 2014, while the Senate was not in session.

Linda M. Bramblett, 24 Oak Ridge Pond Road, Hannibal, Marion County, Missouri 63401, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2017, and until her successor is duly appointed and qualified; vice, Betty J. Leake, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 6, 2015, while the Senate was not in session.

Vernal Brown, 8417 Jacklin Avenue, Hazelwood, Saint Louis County, Missouri 63042, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, for a term ending November 11, 2016, and until her successor is duly appointed and qualified; vice, Kevin S. Cahill, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2014, while the Senate was not in session.

Robert Andrew Bryan, 515 East McArthur Drive, Springfield, Greene County, Missouri 65810, as a member of the Children's Trust Fund Board, for a term ending September 15, 2015, and until his successor is duly appointed and qualified; vice, Eric Battle, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 2, 2014, while the Senate was not in session.

Reena Hajat Carroll, Democrat, 3156 Hawthorne Boulevard, Saint Louis, Saint Louis County, Missouri 63104, as a member of the Missouri Community Service Commission, for a term ending December 15, 2015, and until her successor is duly appointed and qualified; vice, Andres M. Dominguez, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 22, 2014, while the Senate was not in session.

James H. Chapman III, Democrat, 4100 Tyler Road, Grain Valley, Jackson County, Missouri 64029, as a member of the Elevator Safety Board, for a term ending June 6, 2015, and until his successor is duly appointed and qualified; vice, John J. McNerney, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2014, while the Senate was not in session.

Phyllis Ann Chase, Democrat, 1810 Northeast 106th Terrace, Kansas City, Clay County, Missouri 64155, as a member of the State Lottery Commission, for a term ending September 7, 2016, and until her successor is duly appointed and qualified; vice, Jacque Land, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 17, 2014, while the Senate was not in session.

Craig Chval, Independent, 3500 Scott Boulevard, Columbia, Boone County, Missouri 65203, as a member of the Public Defender Commission, for a term ending July 16, 2020, and until his successor is duly appointed and qualified; vice, Nancy Watkins, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 22, 2014, while the Senate was not in session.

Nicole J. Colbert-Botchway, 5251 Washington Place, Saint Louis City, Missouri 63108, as a member of the Administrative Hearing Commission, for a term ending December 21, 2020, and until her successor is duly appointed and qualified; vice, Marvin O. Teer, Jr. withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2014, while the Senate was not in session.

Susan Cole, Independent, 233 West Old Watson Road, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Missouri Charter Public School Commission, for a term ending September 17, 2016, and until her successor is duly appointed and qualified; vice, RSMo. 160.425.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 2, 2014, while the Senate was not in session.

Sherry Cooper, 15368 Braefield Drive, Chesterfield, Saint Louis County, Missouri 63017, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects, for a term ending August 18, 2014, and until her successor is duly appointed and qualified; vice, Marian "Munnie" Pacino, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 17, 2014, while the Senate was not in session.

Austin D. Cordell, 1018 Broadway Street, Cape Girardeau, Cape Girardeau County, Missouri 63701, as the student representative of the Southeast Missouri State University Board of Regents, for a term ending January 1, 2016, and until his successor is duly appointed and qualified; vice, Kevin Magnan, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 2, 2014, while the Senate was not in session.

Michelle Crockett, 221 South Highway J, Lamar, Barton County, Missouri 64759, as a member of the Children's Trust Fund Board, for a term ending September 15, 2015, and until her successor is duly appointed and qualified; vice, Richard C. Dunn, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2014, while the Senate was not in session.

Deborah Curtis, Independent, 118 Hidden Pines Lane, Warrensburg, Johnson County, Missouri 64093, as a member of the Missouri Charter Public School Commission, for a term ending September 17, 2018, and until her successor is duly appointed and qualified; vice, RSMo. 160.425.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65012

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 6, 2015, while the Senate was not in session.

Peter W. Detweiler, 2201 Somerset, Kirksville, Adair County, Missouri 63501, as a member of the Higher Education Loan Authority of the State of Missouri, for a term ending October 22, 2016, and until his successor is duly appointed and qualified; vice, William T. Reeves, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 2, 2014, while the Senate was not in session.

Ve'Shawn Dixon, 920 Memorial Drive, Maryville, Nodaway County, Missouri 64468, as the student representative of the Northwest Missouri State University Board of Regents, for a term ending December 31, 2015, and until his successor is duly appointed and qualified; vice, Ashton Raffety, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 2, 2014, while the Senate was not in session.

Caleb Austin Doyle, 2283 Parkton Way, Barnhart, Jefferson County, Missouri 63012, as the student representative of the Missouri State University Board of Governors, for a term ending December 31, 2015, and until his successor is duly appointed and qualified; vice, Paige Jenkins, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 17, 2014, while the Senate was not in session.

Kent Farnsworth, Republican, 16635 Hickory Drive, Neosho, Newton County, Missouri 64950, as a member of the Missouri Charter Public School Commission, for a term ending September 17, 2017, and until his successor is duly appointed and qualified; vice, RSMo. 160.425.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 6, 2014, while the Senate was not in session.

Kelley F. Farrell, 53 Berkshire Drive, Saint Louis, Saint Louis County, Missouri 63117, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, for a term ending November 11, 2015, and until her successor is duly

appointed and qualified; vice, Hugh Scott III, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 2, 2014, while the Senate was not in session.

Noel Thomas Fehr, Sr., 7003 Waterman Avenue, University City, Saint Louis County, Missouri 63130, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects, for a term ending April 16, 2018, and until his successor is duly appointed and qualified; vice, Jerany L. Jackson, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 4, 2014, while the Senate was not in session.

Christina M. Ferguson, 10001 North Revere Court, Kansas City, Platte County, Missouri 64154, as a member of the State Board of Pharmacy, for a term ending December 3, 2019, and until her successor is duly appointed and qualified; vice, James D. Riddle, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 17, 2014, while the Senate was not in session.

William Gipson, Republican, 299 Oak Tree Point Lane, Shell Knob, Stone County, Missouri 65747, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2017, and until his successor is duly appointed and qualified; vice, David Jones, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 2, 2015, while the Senate was not in session.

Maurice B. Graham, Democrat, 150 Carondelet Plaza #1103, Clayton, Saint Louis County, Missouri 63105, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2021, and until his successor is duly appointed and qualified; vice, Don M. Downing, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 22, 2014, while the Senate was not in session.

David E. Gurian, 2309 Parkridge Avenue, Brentwood, Saint Louis County, Missouri 63144, as a member of the organ Donation Advisory Committee, for a term ending December 12, 2015, and until his successor is duly appointed and qualified; vice, Lonnie M. Boyd, term expired

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 3, 2014, while the Senate was not in session.

Nancy C. Hagan, Democrat, 2260 East Briar Street, Springfield, Greene County, Missouri 65804, as a member of the Missouri Ethics Commission, for a term ending March 15, 2018, and until her successor is duly appointed and qualified; vice, Dennis E. Rose, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 6, 2015, while the Senate was not in session.

Larry D. Hale, Democrat, 1444 Eagle Ridge Road, Glencoe, St. Louis County, Missouri 63038, as a member of the Missouri Gaming Commission, for a term ending April 29, 2016, and until his successor is duly appointed and qualified; vice, Barrett Hatches, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 6, 2015, while the Senate was not in session.

Jason Hall, 4142 Shenandoah, Saint Louis City, Missouri 63110, as a member of the Missouri Technology Corporation, for a term ending March 3, 2017, and until his successor is duly appointed and qualified; vice, Keith Gary, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June

2, 2014, while the Senate was not in session.

Cynthia L. Heislen, Democrat, 1507 Independence Drive, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri Community Service Commission, for a term ending December 12, 2015, and until her successor is duly appointed and qualified; vice, Cynthia L. Heislen, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 17, 2014, while the Senate was not in session.

Alicia M. Herald, Democrat, 20 North Kingshighway Boulevard #7A, Saint Louis City, Missouri 63108, as a member of the Missouri Charter Public School Commission, for a term ending September 17, 2016, and until her successor is duly appointed and qualified; vice, RSMo. 160.425.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 2, 2014, while the Senate was not in session.

Cheryl Hibbeler, Democrat, 819 Lauralee Drive, O'Fallon, Saint Charles County, Missouri 63366, as a member of the Missouri Community Service Commission, for a term ending December 15, 2016, and until her successor is duly appointed and qualified; vice, Cheryl Hibbeler, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 17, 2014, while the Senate was not in session.

Allison Crista Hogan, Republican, 1643 East Catalpa, Springfield, Greene County, Missouri 65804, as a member of the Public Defender Commission, for a term ending July 16, 2020, and until her successor is duly appointed and qualified; vice, Miller M. Leonard, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 1, 2014, while the Senate was not in session.

Daniel Isom, 2931 St. Vincent, Saint Louis City, Missouri 63104, as Director of the Department of Public Safety, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 17, 2014, while the Senate was not in session.

Charles Jackson, Democrat, 1901 Pilgrim Court, Jefferson City, Cole County, Missouri 65109, as a member of the Public Defender Commission, for a term ending July 16, 2020, and until his successor is duly appointed and qualified; vice, Willie J. Ellis Jr., term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January

6, 2015, while the Senate was not in session.

Brian Jamison, Republican, 5208 Thronbrook Parkway, Columbia, Boone County, Missouri 65203, as a member of the Missouri Gaming Commission, for a term ending April 29, 2016, and until his successor is duly appointed and qualified; vice, Jack L. Merritt, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 19, 2014, while the Senate was not in session.

Mark E. Jordan, Republican, 18514 Wildhorse Creek Road, Wildwood, Saint Louis County, Missouri 63005, as a member of the Hazardous Waste Management Commission, for a term ending April 3, 2015, and until his successor is duly appointed and qualified; vice, Hanford Gross, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2014, while the Senate was not in session.

Paul K. Kincaid, Independent, 3154 West Tracy Court, Springfield, Greene County, Missouri 65807, as a member of the State Lottery Commission, for a term ending September 7, 2017, and until his successor is duly appointed and qualified; vice, Stephen Sneed, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 2, 2014, while the Senate was not in session.

Betty A. Knight, Republican, 13075 Woodridge Street, Platte City, Platte County, Missouri 64079, as a member of the Platte County Election Board, for a term ending January 11, 2015, and until her successor is duly appointed and qualified; vice, Joshua D. Linville, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 22, 2014, while the Senate was not in session.

Gregory Kratofil, Republican, 1238 Huntington Road, Kansas City, Jackson County, Missouri 64113, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2019, and until his successor is duly appointed and qualified; vice, Gerald Winship, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 22, 2014, while the Senate was not in session.

Jeffrey D. Lance, Republican, 6809 Highway 59, Savannah, Andrew County, Missouri 64485, as a member of the State Soil and Water Districts Commission, for a term ending August 15, 2016, and until his successor is duly appointed and qualified; vice, Richard L. Fordyce, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 24, 2014, while the Senate was not in session.

Mark Langworthy, 4412 Shoram Court, Columbia, Boone County, Missouri 65203, as a member of the Missouri Consolidated Health Care Plan Board of Trustees, for a term ending December 31, 2018, and until his successor is duly appointed and qualified; vice, Erin Burlison-Huss, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 2, 2014, while the Senate was not in session.

Frank James Logan Sr., Democrat, 3018 Rutger Street, Saint Louis City, Missouri 63104, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, John McGuire, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 6, 2015, while the Senate was not in session.

Paul M. Maloney, Republican, 5823 Delor, St. Louis City, Missouri 63109, as a member of the Saint Louis City Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, Jack Lary, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 6, 2015, while the Senate was not in session.

Audrey H. McIntosh, 4807 Shepherd Hills Road, Jefferson City, Cole County, Missouri 65101, as a member of the Administrative Hearing Commission, for a term ending August 29, 2016, and until her successor is duly appointed and qualified; vice, Mary E. Nelson, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 2, 2014, while the Senate was not in session.

Donald R. McQuitty, Democrat, 276 Bello Point Drive, Sunrise Beach, Camden County, Missouri 65079, as a member of the State Fair Commission, for a term ending December 29, 2015, and until his successor is duly appointed and qualified; vice, Ronald D. Scheiderer, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 2, 2014, while the Senate was not in session.

Rita Milam, Democrat, 6755 State Highway 77, Benton, Scott County, Missouri 63736, as a member of the Missouri Public Entity Risk Management Fund Board of Trustees, for a term ending July 15, 2014, and until her successor is duly appointed and qualified; vice, Daniel Krasnoff, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January

6, 2015, while the Senate was not in session.

John Michael Mowrer, 317 West Lincoln Circle, Kennett, Dunklin County, Missouri 63857, as a member of the Missouri Veterans' Commission, for a term ending November 2, 2016, and until his successor is duly appointed and qualified; vice, Paul E. Connors, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 4, 2014, while the Senate was not in session.

David W. Murphy, Democrat, 1709 Cliff Drive, Columbia, Boone County, Missouri 65201, as a member of the Conservation Commission, for a term ending June 30, 2019, and until his successor is duly appointed and qualified; vice, Tim Dollar, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 6, 2015, while the Senate was not in session.

Thomas W. Neer, Republican, 241 Defiance Road P.O. Box #7, Defiance, St. Charles County, Missouri 63341, as a member of the Missouri Gaming Commission, for a term ending April 29, 2017, and until his successor is duly appointed and qualified; vice, Katherine Suzanne Bradley, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January

2, 2015, while the Senate was not in session.

Mary E. Nelson, Democrat, 4100 Laclede Avenue, Saint Louis City, Missouri 63108, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2021, and until her successor is duly appointed and qualified; vice, P. Wayne Goode, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 6, 2015, while the Senate was not in session.

Michael B. Pace, Independent, 5664 State Route 17, West Plains, Howell County, Missouri 65775, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2019, and until his successor is duly appointed and qualified; vice, Kelley M. Martin, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 2, 2014, while the Senate was not in session.

Kimberlee J. Pate, 1789 Madison 203, Fredericktown, Madison County, Missouri 63645, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2018, and until her successor is duly appointed and qualified; vice, Beverly D. Caruso, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 1, 2015, while the Senate was not in session.

Damon S. Porter, 5511A Deer Valley Drive, Jefferson City, Cole County, Missouri 65109, as Director of the Division of Employment Security, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 24, 2014, while the Senate was not in session.

Leo D. Price, Sr., 1416 Dartmouth Drive, Saint Charles, Saint Charles County, Missouri 63303, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2018, and until his successor is duly appointed and qualified; vice, Jasper Kee, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65109

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 1, 2014, while the Senate was not in session.

Nia V. Ray, 1541 Bald Hill Road, Jefferson City, Cole County, Missouri 65101, as Director of the Department of Revenue, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 2, 2014, while the Senate was not in session.

Thomas Rodenberg, Democrat, 1005 Southwest 44th Street, Blue Springs, Jackson County, Missouri 64015, as a member of the Missouri Public Entity Risk Management Fund Board of Trustees, for a term ending July 15, 2017, and until his successor is duly appointed and qualified; vice, Donald Yarber, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 24, 2014, while the Senate was not in session.

Christie L. Rodriguez, 406 South Main Street, Nevada, Vernon County, Missouri 64772, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2016, and until her successor is duly appointed and qualified; vice, Michael A. Cabello, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 2, 2014, while the Senate was not in session.

Christopher Rohlfling, Independent, 141 County Road 300, Fayette, Howard County, Missouri 65248, as a member of the Missouri Veterinary Medical Board, for a term ending April 29, 2017 and until his successor is duly appointed and qualified; vice, Owen F. Smith, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July

17, 2014, while the Senate was not in session.

Viola Schaefer, 7908 Liberty Road, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri Consolidated Health Care Plan Board of Trustees, for a term ending December 31, 2016, and until her successor is duly appointed and qualified; vice, Garry Taylor, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 3, 2014, while the Senate was not in session.

Bryan T. Scott, Democrat, 4349 Washington Boulevard, Saint Louis City, Missouri 63108, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2017, and until his successor is duly appointed and qualified; vice, Bryan T. Scott, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 17, 2014, while the Senate was not in session.

Delbert Lee Scott, Republican, 700 East 7th Street, Lowry City, Saint Clair County, Missouri 64763, as a member of the Missouri Charter Public School Commission, for a term ending September 17, 2015, and until his successor is duly appointed and qualified; vice, RSMo. 160.425.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on

September 26, 2014, while the Senate was not in session.

David L. Steelman, Republican, 11820 Spring House Lane, Rolla, Phelps County, Missouri 65401, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2019, and until his successor is duly appointed and qualified; vice, J. Michael Ponder, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65109

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 2, 2015, while the Senate was not in session.

Phillip H. Snowden, Democrat, 4642 North Holly Court, Kansas City, Clay County, Missouri 64116, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2021, and until his successor is duly appointed and qualified; vice David Bradley, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 6, 2015, while the Senate was not in session.

Leland M. Shurin, Democrat, 411 West 46 Terrace #1101, Kansas City, Jackson County, Missouri 64112, as a member of the Missouri Gaming Commission, for a term ending April 29, 2017, and until his successor is duly appointed and qualified; vice, Darryl Jones, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 23, 2014, while the Senate was not in session.

Peggy Lea Taylor, Independent, 611 Hillcrest Avenue, Nixa, Christian County, Missouri 65714, as a member of the Missouri Charter Public School Commission, for a term ending September 17, 2018, and until her successor is duly appointed and qualified; vice, RSMo. 160.425.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 9, 2014, while the Senate was not in session.

Christian I. Thompson, Dawson Hall, 711 Lee Drive, Jefferson City, Cole County, Missouri 65101, as the student representative of the Lincoln University Board of Curators, for a term ending December 31, 2015, and until his successor is duly appointed and qualified; vice, Traron L. Shivers, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 18, 2014, while the Senate was not in session.

John R. Twitty, Republican, 4203 East Woodland, Springfield, Greene County, Missouri 65809, as a member of the State Lottery Commission, for a term ending September 7, 2017, and until his successor is duly appointed and qualified; vice, Kevin Roberts, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 25, 2014, while the Senate was not in session.

Maynard Wallace, Republican, 303 Wallace Lane, Thornfield, Ozark County, Missouri 65762, as a member of the State Board of Education, for a term ending July 1, 2016, and until his successor is duly appointed and qualified; vice, J. Michael Ponder, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 17, 2014, while the Senate was not in session.

Elizabeth Wood, 620 South Washington Street, Warrensburg, Johnson County, Missouri 64093, as the student representative of the University of Central Missouri Board of Governors, for a term ending December 31, 2015, and until her successor is duly appointed and qualified; vice, Kyle Shell, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 22, 2014, while the Senate was not in session.

John A. Wright, Sr., Democrat, 5290 Waterman Boulevard, Apartment 5E, Saint Louis City, Missouri 63108, as a member of the Missouri Charter Public School Commission, for a term ending September 17, 2017, and until his successor is duly appointed and qualified; vice, RSMo. 160.425.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

PROCLAMATION

WHEREAS, Article IV, Section 27 of the Missouri Constitution was amended by the voters on November 4, 2014; and

WHEREAS, Article IV, Section 27, authorizes the Governor to control the rate at which any appropriation is expended by allotment and, further, authorizes the Governor to reduce the expenditures of the state or any of its agencies below their appropriations whenever the actual revenues are less than the revenue estimates upon which the appropriations were based; and

WHEREAS, in addition to the power to control the rate of expenditure established in Article IV, Section 27, three percent of each appropriation, with the exception of amounts for personal service to pay salaries fixed by law, shall be set aside pursuant to section 33.290,

RSMo, as a reserve fund and not subject to expenditure except with the approval of the Governor; and

WHEREAS, Article IV, Section 27.2, provides that the Governor notify the General Assembly “whenever the rate at which any appropriation shall be expended is not equal quarterly allotments, the sum of which shall be equal to the amount of the appropriation”; and

WHEREAS, due to a variety of factors, including the three percent reserve that is legally required by section 33.290, RSMo, the rate at which most appropriations are expended is not in “equal quarterly allotments, the sum of which shall be equal to the amount of the appropriation”; and

WHEREAS, Article IV, Section 27.3, provides that the Governor notify the General Assembly “when the governor reduces one or more items or portions of items of appropriation of money as a result of actual revenues being less than the revenue estimates upon which the appropriations were based.”

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to Article IV, Section 27, do hereby make the following notification to the Ninety-Eighth General Assembly of the State of Missouri:

I hereby notify the General Assembly, pursuant to Article IV, Section 27.2 of the Missouri Constitution, that, based on action taken since the effective date of the amendments to Article IV, Section 27, the rate of expenditure for the following appropriation lines in the fiscal year 2015 budget is not in equal quarterly allotments, the sum of which shall be equal to the amount of the appropriation:

House Bill Section	Agency	Appropriation Name
18.005	Office of Administration	Facilities M&R FY15 TRF-0101
19.008	Office of Administration	State Capitol Struc Reprs - 0101

I further notify the General Assembly, pursuant to Article IV, Section 27.3 of the Missouri Constitution, that I have taken no action to permanently reduce one or more items or portions of items of appropriation of money as a result of actual revenues being less than the revenue estimates upon which the appropriations were based in the fiscal year 2015 budget.

Seal

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 7th day of January, 2015

/s/ Jeremiah W. (Jay) Nixon
Jeremiah W. (Jay) Nixon
Governor

ATTEST:

/s/ Jason Kander
Jason Kander
Secretary of State

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 1**.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 2**.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 3**, entitled:

HOUSE RESOLUTION NO. 3

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-eighth General Assembly is hereby instructed to inform the Senate that the House of Representatives is now duly organized with the following officers to wit:

Speaker.	John J. Diehl, Jr.
Speaker Pro Tem.	Denny Hoskins
Chief Clerk.	D. Adam Crubliss
Doorkeeper.	Don Knollmeyer
Sergeant-at-Arms.	Ralph Robinett
Chaplain.	Reverend Monsignor Robert Kurwicki

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 4**, entitled:

HOUSE RESOLUTION NO. 4

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-eighth General Assembly, First Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

RESOLUTIONS

Senator Wieland offered Senate Resolution No. 3, regarding Jack C. Stewart, Hillsboro, which was adopted.

Senator Sater offered Senate Resolution No. 4, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Max Stumpff, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 5, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. William “Bill” Brower, Anderson, which was adopted.

Senator Sater offered Senate Resolution No. 6, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Charles Shore, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 7, regarding Laura Weber, Reeds Spring, which was adopted.

Senator Sater offered Senate Resolution No. 8, regarding the Fiftieth Wedding Anniversary of Dorus “Doad” and Marilyn Childs, Reeds Spring, which was adopted.

Senator Cunningham offered Senate Resolution No. 9, regarding David E. Morrison, Gainesville, which was adopted.

Senator Cunningham offered Senate Resolution No. 10, regarding Franklin Don Romines, Houston, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Richard introduced to the Senate, his wife, Patty; and Chad Greer, Amy Greer, Natalie Greer and Molly Greer, Joplin.

Senator Keaveny introduced to the Senate, his wife, Karen; his brother and sister-in-law, John and Mary Keaveny; his brothers, Gerald and Jim Keaveny; Butch and Sue St. George; Thomas and Laurie Christman; and former State Senator Sheriff Jim Murphy, St. Louis.

Senator Dempsey introduced to the Senate, former State Senator Fred Dyer, George Beilsmith, and Doyle Shockley, St. Charles.

Senator Brown introduced to the Senate, his wife, Kathy, Danette Sherrill, Brad Sherrill, Justin Brown, and Tristin Brown, Rolla.

Senator Dixon introduced to the Senate, his wife, Amanda and their daughter, Olivia, his father and mother, Bob and Kay Dixon, and former State Representative Jean Dixon, Springfield.

Senator Schaaf introduced to the Senate, Mike and Janet Stark, Platte City.

Senator Schupp introduced to the Senate, her husband, Mark, her parents, Joan and Harry Seltzer, and her sister Joy Seltzer.

Senator Hegeman introduced to the Senate, his wife, Fran, their children, Joseph, Heidi, Joshua; and Hannah Catterton, and her husband, Colten, Cosby; his sister and her husband, Nancy and Paul Langemach and his nephew, Mark Langemach, Savannah; and his sister-in-law, Joyce Walker, Troy.

Senator Riddle introduced to the Senate, her husband, Randy, Mokane; Rosemary Augustine and Dean and Leona Powell, New Bloomfield; and Kristen Burkemper, Old Monroe.

Senator Munzlinger introduced to the Senate, his wife, Michele, his mother-in-law, Pearl Franks and his Aunt, Elaine Gorrell.

Senator Curls introduced to the Senate, former State Representative Amber Boykins, and Shaun Simms, St. Louis.

Senator Schatz introduced to the Senate, the Physician of the Day, Dr. John Hagen, Glencoe.

Senator Holsman introduced to the Senate, his wife, Robyn, their daughter, Savannah and son, Grant, Gale Holsman, Gail Worth, Bob Boyd, and Becky Boyd, Kansas City.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SECOND DAY—THURSDAY, JANUARY 8, 2015

FORMAL CALENDAR**SECOND READING OF SENATE BILLS**

SB 1-Pearce

SB 2-Pearce, et al

SB 3-Pearce

SB 4-Schmitt

SB 5-Schmitt, et al	SB 45-Holsman
SB 6-Keaveny	SB 46-Holsman
SB 7-Keaveny	SB 47-Holsman
SB 8-Schaaf	SB 48-Sifton
SB 9-Schaaf	SB 49-Sifton
SB 10-Schaaf	SB 50-Sifton
SB 11-Richard	SB 51-Onder
SB 12-Munzlinger	SB 52-Schaaf
SB 13-Munzlinger	SB 53-Schaaf
SB 14-Munzlinger	SB 54-Munzlinger
SB 15-Dixon and LeVota	SB 55-Munzlinger
SB 16-Dixon	SB 56-Munzlinger
SB 17-Dixon	SB 57-Dixon
SB 18-Kraus	SB 58-Dixon
SB 19-Kraus	SB 59-Dixon
SB 20-Kraus	SB 60-Chappelle-Nadal
SB 21-Chappelle-Nadal	SB 61-Chappelle-Nadal
SB 22-Chappelle-Nadal	SB 62-Chappelle-Nadal
SB 23-Chappelle-Nadal	SB 63-Sater
SB 24-Sater	SB 64-Emery
SB 25-Sater	SB 65-Emery
SB 26-Sater	SB 66-Emery
SB 27-Emery	SB 67-Cunningham
SB 28-Emery	SB 68-Romine
SB 29-Emery	SB 69-LeVota
SB 30-Cunningham	SB 70-LeVota
SB 31-Cunningham	SB 71-LeVota
SB 32-Cunningham	SB 72-Nasheed
SB 33-Wallingford	SB 73-Holsman
SB 34-Wallingford	SB 74-Holsman
SB 35-Wallingford	SB 75-Holsman
SB 36-Romine and Schatz	SB 76-Sifton
SB 37-Romine	SB 77-Sifton
SB 38-Romine	SB 78-Sifton
SB 39-LeVota	SB 79-Dixon
SB 40-LeVota	SB 80-Dixon
SB 41-LeVota	SB 81-Dixon
SB 42-Nasheed	SB 82-Chappelle-Nadal
SB 43-Nasheed	SB 83-Chappelle-Nadal
SB 44-Nasheed	SB 84-Chappelle-Nadal

SB 85-Emery	SB 126-Brown
SB 86-Emery	SB 127-Brown
SB 87-Emery	SB 128-Brown
SB 88-LeVota	SB 129-Brown
SB 89-LeVota	SB 130-Walsh and Schupp
SB 90-LeVota	SB 131-Parson
SB 91-Dixon	SB 132-Parson
SB 92-Emery	SB 133-Parson
SB 93-Emery	SB 134-Holsman
SB 94-Emery	SB 135-Holsman
SB 95-LeVota	SB 136-Sifton
SB 96-LeVota	SB 137-Parson
SB 97-LeVota	SB 138-Parson
SB 98-Emery	SB 139-Parson and Kehoe
SB 99-LeVota	SB 140-Parson
SB 100-LeVota	SB 141-Parson
SB 101-LeVota	SB 142-Romine
SB 102-LeVota	SB 143-Romine
SB 103-LeVota	SB 144-LeVota
SB 104-Kraus	SB 145-Pearce
SB 105-Kraus	SB 146-Pearce
SB 106-Kraus	SB 147-Schaaf
SB 107-Sater	SB 148-Parson
SB 109-Schaefer	SB 149-Parson
SB 110-Schaefer	SB 150-Parson
SB 111-Schaaf	SB 151-Sater
SB 112-Dixon	SB 152-Wallingford
SB 113-Dixon	SB 153-Wallingford
SB 114-Kraus	SB 154-Wallingford
SB 115-Kraus	SB 155-Nasheed
SB 116-Kraus	SB 156-Nasheed
SB 117-Brown	SB 157-Wallingford
SB 118-Brown	SB 158-Schaefer
SB 119-Brown	SB 159-Parson
SB 120-Walsh	SB 160-Brown
SB 121-Walsh	SB 161-Nasheed
SB 122-Walsh	SB 162-Nasheed
SB 123-Schupp	SB 163-Nasheed
SB 124-Schupp	SB 164-Sifton
SB 125-Schupp	SB 165-Nasheed

SB 166-Nasheed	SB 191-Curls
SB 167-Schaaf	SB 192-Munzlinger
SB 168-Munzlinger	SB 193-LeVota
SB 169-Schaaf	SB 194-Richard
SB 170-Kraus	SB 195-Schmitt
SB 171-Romine	SB 196-Schaaf
SB 172-Romine	SB 197-Brown
SB 173-Romine	SB 198-Brown
SB 174-Schmitt	SB 199-Dixon
SB 175-Schmitt	SB 200-Dixon
SB 176-Schmitt	SB 201-Dixon
SB 177-Munzlinger	SB 202-Dixon
SB 178-Munzlinger	SB 203-Dixon
SB 179-Sater	SB 204-Parson
SB 180-Chappelle-Nadal	SB 205-Parson
SB 181-Curls	SB 206-Parson
SB 182-Curls	SJR 1-Munzlinger
SB 183-Curls	SJR 2-Dixon
SB 184-LeVota	SJR 3-Chappelle-Nadal
SB 185-LeVota	SJR 4-Emery
SB 186-Curls	SJR 5-Kraus
SB 187-Curls	SJR 6-Curls
SB 188-Curls	SJR 7-Richard
SB 189-Curls	SJR 8-Schmitt
SB 190-Curls	SJR 9-Schmitt

INFORMAL CALENDAR

RESOLUTIONS

HCR 1-Richardson

HCR 2-Richardson

To be Referred

SCR 1-Nasheed

SCR 2-Nasheed

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

✓

Journal of the Senate

FIRST REGULAR SESSION

SECOND DAY—THURSDAY, JANUARY 8, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord will keep your going out and coming in from this time on and forevermore.” (Psalm 121:8)

Almighty God, we trust Your word and during all the traveling we are about this session we ask that You “watch our going out and coming in.” Bring us safely home to loved ones this day and guide our thoughts and responsibilities that are before us. May we be found in Your house of prayer and our worship to Your honor and praise be acceptable to You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Senator Dempsey requested unanimous consent of the Senate to correct the Senate Journal for Wednesday, January 7, 2015, Page 58, to include the text of HCR 1 and HCR 2, which request was granted.

The following correction was made to the Journal for Wednesday, January 7, 2015, line 34, by inserting after said line:

“

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninety-eighth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Wednesday, January 21, 2015, to receive a message from His Excellency, the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-eighth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.”;

and further correct same page, line 38, by inserting after said line:

“

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninety-eighth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:00 a.m., Thursday, January 22, 2015, to receive a message from the Honorable Mary R. Russell, Chief Justice of the Supreme Court of the State of Missouri, and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform Her Honor that the House of Representatives and the Senate of the Ninety-eighth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that Her Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.”

The Journal for Wednesday, January 7, 2015, was read and approved as corrected.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 11, regarding Barbara Spilman, Mt. Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 12, regarding the Seventy-second Wedding Anniversary of Mr. and Mrs. Leon Aleshire, Mt. Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 13, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Robert Eutsler, Crane, which was adopted.

Senator Sater offered Senate Resolution No. 14, regarding Judy Berkstresser, Crane, which was adopted.

Senator Sater offered Senate Resolution No. 15, regarding the Fiftieth Wedding Anniversary of Lee and Vicki Jennings, Jane, which was adopted.

Senator Sater offered Senate Resolution No. 16, regarding the Fiftieth Wedding Anniversary of Ron and Janet Weldy, Mount Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 17, regarding the Sixtieth Wedding Anniversary of Gregory

and Betty Fier, Branson, which was adopted.

Senator Hegeman offered Senate Resolution No. 18, regarding Larry Atkins, Rea, which was adopted.

Senator Hegeman offered Senate Resolution No. 19, regarding Greg Wall, Savannah, which was adopted.

Senator Hegeman offered Senate Resolution No. 20, regarding Cyndee Merritt, Savannah, which was adopted.

Senator Silvey offered Senate Resolution No. 21, regarding Police Captain Kenneth F. Buck III, Gladstone, which was adopted.

Senator LeVota offered Senate Resolution No. 22, regarding the Palmer Center, Independence, which was adopted.

Senator LeVota offered Senate Resolution No. 23, regarding the death of Norman L. James, which was adopted.

Senator LeVota offered Senate Resolution No. 24, regarding the death of Victor D. Gragg, which was adopted.

The Senate observed a moment of silence for Mr. Bill Schwartz.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 207—By Pearce.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to withholding tax.

SB 208—By Sater.

An Act to repeal section 275.352, RSMo, relating to beef commodity merchandising program fees.

SB 209—By Sater.

An Act to repeal section 537.325, RSMo, and to enact in lieu thereof one new section relating to livestock activities.

SB 210—By Schaefer.

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof six new sections relating to reimbursement allowance taxes, with expiration dates.

SB 211— By Walsh and Dixon.

An Act to repeal sections 589.660 and 589.663, RSMo, and to enact in lieu thereof two new sections

relating to the address confidentiality program administered by the secretary of state.

SB 212— By Walsh.

An Act to repeal section 565.225 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 565.225 as enacted by senate bills nos. 818 & 795, ninety-fourth general assembly, second regular session, RSMo, and to enact in lieu thereof one new section relating to the address confidentiality program, with penalty provisions.

SB 213— By Wallingford.

An Act to repeal sections 211.021, 211.031, 211.032, 211.033, 211.041, 211.061, 211.071, 211.073, 211.081, 211.091, 211.101, 211.161, 211.181, 211.321, 211.421, 211.425, and 211.431, RSMo, and to enact in lieu thereof seventeen new sections relating to juvenile courts, with penalty provisions.

RESOLUTIONS

Senator Dempsey offered the following resolution:

SENATE RESOLUTION NO. 25

Notice of Proposed Rule Change

Notice is hereby given by the Senator from the Twenty-third District of the one day notice required by rule of intent to put a motion to adopt the following rule change:

Be It Resolved by the Senate of the Ninety-eighth General Assembly, First Regular Session, that Senate Rules 25 and 28, be amended to read as follows:

“Rule 25. The president pro tem of the senate shall appoint the following standing committees:

1. Committee on Administration, 5 members.
2. Committee on Agriculture, Food Production and Outdoor Resources, [7] **8** members.
3. Committee on Appropriations, 11 members.
4. Committee on Commerce, Consumer Protection, Energy and the Environment, [10] **11** members.
5. Committee on Education, [10] **8** members.
6. Committee on Financial and Governmental Organizations and Elections, [10] **11** members.
7. Committee on General Laws **and Pensions**, 7 members.
8. Committee on Governmental Accountability and Fiscal Oversight, [7] **8** members.
9. Committee on Gubernatorial Appointments, [10] **11** members.
10. Committee on Jobs, Economic Development and Local Government, [10] **11** members.
11. Committee on the Judiciary and Civil and Criminal Jurisprudence, 7 members.
12. Committee on Progress and Development, 5 members.
13. Committee on Rules, Joint Rules, Resolutions and Ethics, 7 members.
14. Committee on Seniors, Families and [Pensions] **Children**, 7 members.
15. Committee on Small Business, Insurance and Industry, [7] **8** members.

16. Committee on Transportation [and] Infrastructure **and Public Safety**, 7 members.

17. Committee on Veterans' Affairs and Health, 10 members.

18. Committee on Ways and Means, [10] 7 members. All committees shall have leave to report at any time.

The chairman of any standing committee may appoint one or more subcommittees, with the approval of the committee, to hold hearings on bills referred to the committee and shall report its findings to the standing committee.

Rule 28. The duties of the standing committees of the senate are as follows:

1. The Committee on Administration shall superintend and have sole and complete control of all financial obligations and business affairs of the senate, the assignment of offices and seats, and the supervision of certain designated employees. The committee shall be authorized to employ an administrator, who shall be provided with office space as designated by the committee. The administrator or the secretary of the senate may be authorized to act for the committee, but only in the manner and to the extent as may have previously been authorized by the committee with such authorization entered in the minutes of the committee. No voucher calling for payment from the contingent fund of the senate shall be drawn, nor shall any valid obligation exist against the contingent fund until the same shall have been approved by the committee or its administrator and be recorded in the minutes thereof. All vouchers must be signed by the chairman of the committee or the administrator, if so authorized. The committee or its administrator shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the senate, and the distribution thereof. The administrator shall keep a detailed running account of all transactions and shall open his records for inspection to any senator who so requests. All employees other than elected officials of the senate and employees of the individual senators, shall be selected by the committee, who shall control their tenure, set their compensation, assign their duties and exercise complete supervision over them. When necessary, the committee shall assign office space and seats in the senate chamber.

2. The Committee on Agriculture, Food Production and Outdoor Resources shall consider and report upon bills and matters referred to it relating to animals, animal disease, pest control, agriculture, food production, the state park system, conservation of the state's natural resources, soil and water, wildlife and game refuges.

3. The Committee on Appropriations shall consider and report upon all bills and matters referred to it pertaining to general appropriations and disbursement of public money.

4. The Committee on Commerce, Consumer Protection, Energy and the Environment shall consider and report upon bills and matters referred to it relating to the development of state commerce, the commercial sector, consumer protection, telecommunications and cable issues, the development and conservation of energy resources and the disposal of solid, hazardous and nuclear wastes and other matters relating to environmental preservation.

5. The Committee on Education shall consider and report upon bills and matters referred to it relating to education in the state, including the public schools, libraries, programs and institutions of higher learning.

6. The Committee on Financial and Governmental Organizations and Elections shall consider and report upon bills and matters referred to it relating to banks and banking, savings and loan associations and other financial institutions in the state. The committee shall also consider and report upon bills and matters referred to it relating to the reorganization, establishment, consolidation or abolition of departments, boards, bureaus and commissions of state government, the internal operation of any state agency and the effect of federal legislation upon any state agency. The committee shall consider and report upon bills and matters referred to it relating to election law.

7. The Committee on General Laws **and Pensions** shall consider and report upon bills and matters referred to it relating to general topics **and retirement and pensions and pension plans**.

8. The Committee on Governmental Accountability and Fiscal Oversight shall review, study, and investigate all matters referred to it relating to the application, administration, execution, and effectiveness of all state laws and programs, the organization and operation of state agencies and other entities having responsibility for the administration and execution of state laws and programs, and any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation to improve the efficiency of any state law or program. Any findings of the committee may be reported to the senate and the Committee on Appropriations. The committee shall also consider and report upon bills and matters referred to it relating to improving governmental efficiency and management. The Committee on Governmental Accountability and Fiscal Oversight shall also consider and report upon all bills, except regular appropriation bills, that require new appropriations or expenditures of appropriated funds in excess of \$100,000, or that reduce such funds by that amount during any of the

first three years that public funds will be used to fully implement the provisions of the Act. Any such senate bill, after having been approved by the regular standing committee to which it has been assigned and after the same has been perfected and ordered printed by the senate, shall thereafter be referred to the Committee on Governmental Accountability and Fiscal Oversight for its consideration prior to its submission to the senate for final passage thereof by the senate. Any such house bill after having been reported by the regular standing committee to which it was assigned shall be referred to the Committee on Governmental Accountability and Fiscal Oversight for its consideration prior to its being considered by the senate for third reading and final passage. Any senate or house bill, amended so as to increase expenditures or reduce revenue in excess of \$100,000 during any of the first three years that public funds will be used to fully implement its provisions shall upon timely motion be referred or re-referred to the Committee on Governmental Accountability and Fiscal Oversight. The author or first-named sponsor of a bill referred to the Committee on Governmental Accountability and Fiscal Oversight shall be entitled to a hearing on his/her bill but such committee hearing shall be limited to the reception of testimony presented by the author or first-named sponsor in person and none other. The Committee on Governmental Accountability and Fiscal Oversight may recommend the passage of a bill subject to the adoption of an amendment specifying a certain effective date proposed by the committee, and if such an amendment is not adopted, the bill shall again be referred to the Committee on Governmental Accountability and Fiscal Oversight.

9. The Committee on Gubernatorial Appointments shall consider and report upon gubernatorial appointments referred to it.

10. The Committee on Jobs, Economic Development and Local Government shall consider and report upon bills and matters referred to it relating to the promotion of economic development, the creation and retention of jobs, tourism and the promotion of tourism as a state industry, community and business development, county government, township organizations and political subdivisions.

11. The Committee on the Judiciary and Civil and Criminal Jurisprudence shall consider and report upon bills and matters relating to the judicial department of the state including the practice of the courts of this state, civil procedure and criminal laws, criminal costs and all related matters. The Committee shall also consider and report upon bills and matters referred to it relating to probation or parole of persons sentenced under the criminal laws of the state.

12. The Committee on Progress and Development shall consider and report upon bills and matters referred to it concerning the changing or maintenance of issues relating to human welfare.

13. The Committee on Rules, Joint Rules, Resolutions and Ethics shall consider and report on rules for the government of the senate and joint rules when requested by the senate, shall consider, examine and report upon bills and matters referred to it relating to ethics and the conduct of public officials and employees, shall recommend to the Senate the rules by which investigations and disciplinary proceedings will be conducted, and shall examine and report upon all resolutions and other matters which may be appropriately referred to it. The committee shall see that bills and amendments are properly perfected and printed. The committee shall examine all Truly Agreed To and Finally Passed bills carefully, and report that the printed copies furnished the senators are correct. Upon the written request of the sponsor or floor handler of a bill, the committee may recommend that any such bill on the calendars for perfection or house bills on third reading be called up or considered out of order in which the bill appears on that calendar. A recommendation to consider bills out of order shall require approval by a majority of the committee with the concurrence of two-thirds of the senate members. No floor debate shall be allowed on the motion to adopt the committee report. The Committee shall examine bills placed on the Consent Calendar and may, by majority vote, remove any bill from the consent calendar within the time period prescribed by Rule 45, that it determines is too controversial to be treated as a consent bill.

14. The Committee on Seniors, Families and [Pensions] **Children** shall consider and report upon bills and matters referred to it concerning the preservation of the quality of life for senior citizens, nursing home and boarding home operations, alternative care programs for the elderly, and family and children's issues. It shall also consider and report upon bills and matters referred to it concerning [retirement and pensions and pension plans,] income maintenance, social services, and child support enforcement.

15. The Committee on Small Business, Insurance and Industry shall consider and report upon bills and matters referred to it relating to the ownership and operation of small businesses; and life, accident, indemnity and other forms of insurance. The committee shall also take into consideration and report on bills relating to labor management, fair employment standards, workers' compensation and employment security within the state and shall examine bills referred to it relating to industrial development.

16. The Committee on Transportation [and], Infrastructure **and Public Safety** shall consider and report upon bills and matters referred to it concerning roads, highways, bridges, airports and aviation, railroads, port authorities, and other means of transportation and matters relating

to motor vehicles, motor vehicle registration and drivers' licenses **and matters relating to the safety of the general public.**

17. The Committee on Veterans' Affairs and Health shall consider and report upon bills and matters concerning veterans' affairs. The committee shall also consider and report upon bills and matters referred to it concerning health, MO HealthNet, alternative health care delivery system proposals, public health, disease control, hospital operations, mental health, developmental disabilities, and substance abuse and addiction.

18. The Committee on Ways and Means shall consider and report upon bills and matters referred to it concerning the revenue and public debt of the state, and interest thereon, the assessment of real and personal property, the classification of property for taxation purposes and gaming.”.

Be It Further Resolved by the Senate of the Ninety-eighth General Assembly, First Regular Session, that the temporary rules adopted on January 7, 2015, as amended, hereby be adopted as the permanent rules of the Missouri Senate of the Ninety-eighth General Assembly.

REFERRALS

Senator Dempsey referred the Gubernatorial Appointments appearing on pages 33 through 57 of the Senate Journal for Wednesday, January 7, 2015, to the Committee on Gubernatorial Appointments.

Senator Dempsey referred **SCR 1** and **SCR 2** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

January 7, 2015

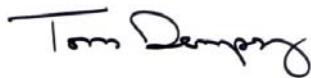
Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse,

I would like to appoint Senator Jill Schupp to the Missouri Children's Trust Fund Board.

Please don't hesitate to contact my office if you have any questions.

Sincerely,



Tom Dempsey
President Pro Tempore

GUESTS

Senator Holsman introduced to the Senate, his wife, Robyn, and their children, Savannah and Grant, Kansas City; and Savannah and Grant were made honorary pages.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, January 12, 2015.

SENATE CALENDAR

THIRD DAY—MONDAY, JANUARY 12, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1-Pearce	SB 32-Cunningham
SB 2-Pearce, et al	SB 33-Wallingford
SB 3-Pearce	SB 34-Wallingford
SB 4-Schmitt	SB 35-Wallingford
SB 5-Schmitt, et al	SB 36-Romine and Schatz
SB 6-Keaveny	SB 37-Romine
SB 7-Keaveny	SB 38-Romine
SB 8-Schaaf	SB 39-LeVota
SB 9-Schaaf	SB 40-LeVota
SB 10-Schaaf	SB 41-LeVota
SB 11-Richard	SB 42-Nasheed
SB 12-Munzlinger	SB 43-Nasheed
SB 13-Munzlinger	SB 44-Nasheed
SB 14-Munzlinger	SB 45-Holsman
SB 15-Dixon and LeVota	SB 46-Holsman
SB 16-Dixon	SB 47-Holsman
SB 17-Dixon	SB 48-Sifton
SB 18-Kraus	SB 49-Sifton
SB 19-Kraus	SB 50-Sifton
SB 20-Kraus	SB 51-Onder
SB 21-Chappelle-Nadal	SB 52-Schaaf
SB 22-Chappelle-Nadal	SB 53-Schaaf
SB 23-Chappelle-Nadal	SB 54-Munzlinger
SB 24-Sater	SB 55-Munzlinger
SB 25-Sater	SB 56-Munzlinger
SB 26-Sater	SB 57-Dixon
SB 27-Emery	SB 58-Dixon
SB 28-Emery	SB 59-Dixon
SB 29-Emery	SB 60-Chappelle-Nadal
SB 30-Cunningham	SB 61-Chappelle-Nadal
SB 31-Cunningham	SB 62-Chappelle-Nadal

SB 63-Sater	SB 103-LeVota
SB 64-Emery	SB 104-Kraus
SB 65-Emery	SB 105-Kraus
SB 66-Emery	SB 106-Kraus
SB 67-Cunningham	SB 107-Sater
SB 68-Romine	SB 109-Schaefer
SB 69-LeVota	SB 110-Schaefer
SB 70-LeVota	SB 111-Schaaf
SB 71-LeVota	SB 112-Dixon
SB 72-Nasheed	SB 113-Dixon
SB 73-Holsman	SB 114-Kraus
SB 74-Holsman	SB 115-Kraus
SB 75-Holsman	SB 116-Kraus
SB 76-Sifton	SB 117-Brown
SB 77-Sifton	SB 118-Brown
SB 78-Sifton	SB 119-Brown
SB 79-Dixon	SB 120-Walsh
SB 80-Dixon	SB 121-Walsh
SB 81-Dixon	SB 122-Walsh
SB 82-Chappelle-Nadal	SB 123-Schupp
SB 83-Chappelle-Nadal	SB 124-Schupp
SB 84-Chappelle-Nadal	SB 125-Schupp
SB 85-Emery	SB 126-Brown
SB 86-Emery	SB 127-Brown
SB 87-Emery	SB 128-Brown
SB 88-LeVota	SB 129-Brown
SB 89-LeVota	SB 130-Walsh and Schupp
SB 90-LeVota	SB 131-Parson
SB 91-Dixon	SB 132-Parson
SB 92-Emery	SB 133-Parson
SB 93-Emery	SB 134-Holsman
SB 94-Emery	SB 135-Holsman
SB 95-LeVota	SB 136-Sifton
SB 96-LeVota	SB 137-Parson
SB 97-LeVota	SB 138-Parson
SB 98-Emery	SB 139-Parson and Kehoe
SB 99-LeVota	SB 140-Parson
SB 100-LeVota	SB 141-Parson
SB 101-LeVota	SB 142-Romine
SB 102-LeVota	SB 143-Romine

SB 144-LeVota	SB 184-LeVota
SB 145-Pearce	SB 185-LeVota
SB 146-Pearce	SB 186-Curls
SB 147-Schaaf	SB 187-Curls
SB 148-Parson	SB 188-Curls
SB 149-Parson	SB 189-Curls
SB 150-Parson	SB 190-Curls
SB 151-Sater	SB 191-Curls
SB 152-Wallingford	SB 192-Munzlinger
SB 153-Wallingford	SB 193-LeVota
SB 154-Wallingford	SB 194-Richard and Holsman
SB 155-Nasheed	SB 195-Schmitt
SB 156-Nasheed	SB 196-Schaaf
SB 157-Wallingford	SB 197-Brown
SB 158-Schaefer	SB 198-Brown
SB 159-Parson	SB 199-Dixon
SB 160-Brown	SB 200-Dixon
SB 161-Nasheed	SB 201-Dixon
SB 162-Nasheed	SB 202-Dixon
SB 163-Nasheed	SB 203-Dixon
SB 164-Sifton	SB 204-Parson
SB 165-Nasheed	SB 205-Parson
SB 166-Nasheed	SB 206-Parson
SB 167-Schaaf	SB 207-Pearce
SB 168-Munzlinger	SB 208-Sater
SB 169-Schaaf	SB 209-Sater
SB 170-Kraus	SB 210-Schaefer
SB 171-Romine	SB 211-Walsh and Dixon
SB 172-Romine	SB 212-Walsh
SB 173-Romine	SB 213-Wallingford
SB 174-Schmitt	SJR 1-Munzlinger
SB 175-Schmitt	SJR 2-Dixon
SB 176-Schmitt	SJR 3-Chappelle-Nadal
SB 177-Munzlinger	SJR 4-Emery
SB 178-Munzlinger	SJR 5-Kraus
SB 179-Sater	SJR 6-Curls
SB 180-Chappelle-Nadal	SJR 7-Richard
SB 181-Curls	SJR 8-Schmitt
SB 182-Curls	SJR 9-Schmitt
SB 183-Curls	

INFORMAL CALENDAR

RESOLUTIONS

SR 25-Dempsey

HCR 2-Richardson (Richard)

HCR 1-Richardson (Richard)

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

✓

Journal of the Senate

FIRST REGULAR SESSION

THIRD DAY—MONDAY, JANUARY 12, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Make me to know your ways, O Lord; teach me your paths.” (Psalm 25:4)

As we start off a new week it is right and proper that we seek to follow the path that we are to take, so help us this week to know where our energies and efforts are to be directed. Help us to be open to hear what others are called to do and assist us in knowing how to be of help to them and teach us how to ask for assistance from them. This we ask in Your Holy Name, O Lord. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 8, 2015, was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 26, regarding Siemer Appliance and Service, LLC, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 27, regarding Wings, Etc., Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 28, regarding Custom Cut Fabrication, LLC, Jackson, which was adopted.

Senator Schupp offered Senate Resolution No. 29, regarding Stephen Wolff, Ladue, which was adopted.

Senator Kehoe offered Senate Resolution No. 30, regarding the 2014 Class 3 state champion Helias Catholic High School volleyball program, which was adopted.

Senator Hegeman offered Senate Resolution No. 31, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gene Berry, Union Star, which was adopted.

Senator Libla offered Senate Resolution No. 32, regarding Gene Bess, Poplar Bluff, which was adopted.

Senator Walsh offered Senate Resolution No. 33, regarding Hazelwood School District Board of Education, which was adopted.

Senator Sater offered Senate Resolution No. 34, regarding Barbara Williams, Pineville, which was adopted.

Senator Sater offered Senate Resolution No. 35, regarding the Ninetieth Birthday of Ruby Miller, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 36, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John Archer, Pierce City, which was adopted.

CONCURRENT RESOLUTIONS

Senator Wallingford offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 3

Whereas, the Joint Committee on Solid Waste Management District Operations was established pursuant to Senate Concurrent Resolution 17 during the Second Regular Session of the Ninety-seventh General Assembly; and

Whereas, Senate Concurrent Resolution 17 established the Joint Committee on Solid Waste Management District Operations to examine solid waste management district operations, including but not limited to efficiency, efficacy, and reasonableness of costs and expenses of such districts to Missouri taxpayers; and

Whereas, the Joint Committee on Solid Waste Management District Operations heard testimony from individuals, business owners, and various interested parties during September and December 2014; and

Whereas, after review and consideration of the testimony presented, the Joint Committee on Solid Waste Management District Operations has considered multiple legislative proposals relating to solid waste;

Whereas, the Joint Committee on Solid Waste Management District Operations held a public hearing on December 3, 2014 to receive comments on a draft Senate bill relating to solid waste;

Whereas, the draft Senate bill was discussed and received support from multiple stakeholders;

Whereas, the Joint Committee on Solid Waste Management District Operations dissolved on December 31, 2014, but has further hearings to conduct and additional legislative alternatives to research:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby establish the "Joint Committee on Solid Waste Management District Operations" to examine the solid waste management district operations, including but not limited to efficiency, efficacy, and reasonableness of costs and expenses of such districts to Missouri taxpayers; and

Be it further resolved that the Joint Committee on Solid Waste Management District Operations shall be composed of five members of the Senate, with no more than three members of one party, and five members of the House of Representatives, with no more than three members of one party. The Senate members of the Joint Committee shall be appointed by the President pro tempore of the Senate and the House members by the Speaker of the House of Representatives. The Joint Committee shall select either a chairperson or co-chairpersons, one of whom shall be a member of the Senate and one a member of the House of Representatives. A majority of the members shall constitute a quorum. Meetings of the Joint Committee may be called at such time and place as the chairperson or chairpersons designate; and

Be it further resolved that the Joint Committee may hold hearings as it deems advisable and may obtain any input or information necessary to fulfill its obligations. The Joint Committee may make reasonable requests for staff assistance from the research and appropriations staffs of the House and Senate and the Committee on Legislative Research, as well as the Department of Natural Resources and representatives of solid waste management districts; and

Be it further resolved that the Joint Committee may prepare a final report, together with its recommendations for any legislative action deemed necessary, for submission to the General Assembly by December 31, 2016, at which time the Joint Committee shall be dissolved; and

Be it further resolved that members of the Joint Committee and any staff personnel assigned to the Joint Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Joint Committee; and

Be it further resolved that the actual expenses of the Joint Committee, its members, and any staff assigned to the Joint Committee incurred by the Joint Committee shall be paid by the Joint Contingent Fund; and

Be it further resolved that the Joint Committee is authorized to function during the legislative interim between the First Regular Session of the Ninety-eighth General Assembly and the Second Regular Session of the Ninety-eighth General Assembly, and between the Second Regular Session of the Ninety-eighth General Assembly and the First Regular Session of the Ninety-ninth General Assembly through December 31, 2016, as authorized by State v. Atterbury, 300 S.W.2d 806 (Mo. 1957).

Senator Walsh offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO.4

Relating to recognition of September 26th as Mesothelioma Awareness Day in Missouri

WHEREAS, mesothelioma is a rare form of cancer of the smooth lining of the chest, lungs, heart, and abdomen that is difficult to detect in its early stages and may be associated with many other conditions; however, when vital organs are involved or disease is identified outside of the operative field, surgery is no longer an option and patients are referred to chemotherapy or clinical trials; and

WHEREAS, approximately 2,500 to 3,000 cases of mesothelioma are reported annually in the United States, and because it occurs in such a small number of patients, mesothelioma is often referred to as an orphan disease, but the number of affected persons is steadily rising every year in North America, Europe, Australia, and Asia; and

WHEREAS, according to the American Cancer Society, mesothelioma is caused by exposure to asbestos fibers and characterized by a latency period that usually lasts for decades, although the exact method by which asbestos causes the disease is not known; and

WHEREAS, the American Cancer Society indicates that most people who develop mesothelioma have worked on jobs where they inhaled asbestos particles, or have been exposed to asbestos dust and fibers in other ways, such as by washing the clothes of a family member who worked with asbestos, or by home renovation using asbestos products"; and

WHEREAS, due to the long period between exposure and diagnosis, mesothelioma results in a life expectancy of four to eighteen months after onset, and nearly 3,000 persons succumb to the disease each year; and

WHEREAS, to promote public awareness of the dangers of this deadly cancer and of asbestos exposure, the need for treatment protocols, and funding for research, Mesothelioma Awareness Day was started by Meso Foundation volunteers in 2004, and September 26th was designated as the day to (I) remember the victims of mesothelioma, (ii) publicize the dangers of asbestos exposure, (iii) offer hope for those who suffer with the disease today, and (iv) focus on and highlight the need for research support and a cure for mesothelioma; and

WHEREAS, on September 26th each year, citizens across the nation are encouraged to participate in CURE MESOTHELIOMA public awareness programs and events, and to sponsor or organize fundraising campaigns in the name of MESOTHELIOMA AWARENESS; and

WHEREAS, Mesothelioma Awareness Day provides an appropriate venue to communicate an important message to the public about this deadly cancer to ensure affected persons are accurately diagnosed and treated and connected to a support system:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby designate September 26th of every year as Mesothelioma Awareness Day in Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

Senator Romine offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 5

Whereas, the easily extracted, high purity lead ore in Missouri was a critical reason for the early development of Missouri and has provided good jobs, a way of life, and significant economic development to Missourians for centuries; and

Whereas, the lead industry in Missouri is the only primary, domestic source for that strategic material in America; and

Whereas, new technology now makes production of primary lead metal a safe, cost effective, and valuable means of continuing to provide a strategic material for numerous uses including munitions, protective barriers for x-rays, radioactive fallout, and radioactive contamination, and batteries for numerous uses including cars, trucks, electric vehicles, renewable energy storage, and peaking power reduction; and

Whereas, encouraging a safe, healthy, and lucrative lead industry in Missouri will give rise to good paying jobs, significant economic development, and the resources to mitigate the legacy of environmental issues caused by lead extraction:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create the Missouri Lead Industry Employment, Economic Development and Environmental Remediation Task Force; and

Be It Further Resolved that the mission of the task force shall be to fully consider:

- (1) The effects of a prompt environmental settlement giving rise to efficient and cost effective remediation;
- (2) Ways to promote the development of a clean lead industry;
- (3) Clean lead industry legislative proposals including rules and regulations necessary for implementation;
- (4) The economic potential of implementing clean lead industry policies; and

Be It Further Resolved that the task force be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

Be It Further Resolved that the task force shall consist of all of the following members:

- (1) The Governor, or his or her designee, to serve as a member of the task force; and
- (2) One member of the general assembly of the majority party appointed by the president pro tem of the senate, to serve as the chair of the task force; and
- (3) One member of the general assembly of the majority party appointed by the speaker of the house of representatives, to serve as the vice-chair and secretary of the task force, and who will provide an agenda and report minutes of the task force; and
- (4) The Attorney General, or his or her designee, to serve as a member and provide technical assistance to the task force; and
- (5) The Director of the Department of Natural Resources, or his or her designee, to serve as a member and provide technical assistance to the task force; and
- (6) One member of the majority party of the senate and one member of the minority party of the senate appointed by the president pro

tempore of the senate; and

(7) One member of the majority party of the house of representatives and one member of the minority party of the house of representatives appointed by the speaker of the house of representatives; and

(8) A representative of industry appointed by the president pro tem of the senate; and

(9) A representative of industry appointed by the speaker of the house of representatives; and

Be It Further Resolved that the staff of Senate Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

Be It Further Resolved that the task force, its members, and any staff assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee; and

Be It Further Resolved that the chair or vice-chair and secretary of the task force shall call an organizational meeting within fifteen days of the adoption of this resolution; and

Be It Further Resolved that the task force shall terminate by either a majority of members voting for termination, or by December 31, 2016, whichever occurs first; and

Be It Further Resolved that on the date of termination, the task force may deliver a report of findings and recommendations to the General Assembly; and

Be It Further Resolved that this resolution does not amend any state law to which the Department of Natural Resources is subject, and shall be interpreted to be consistent with any requirements of such state or federal law; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon, Attorney General Chris Koster, and the Director of the Department of Natural Resources.

Senator Richard moved that **HCR 1** be taken up for adoption, which motion prevailed.

On motion of Senator Richard, **HCR 1** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Holsman—1

Absent with leave—Senators—None

Vacancies—None

Senator Richard moved that **HCR 2** be taken up for adoption, which motion prevailed.

On motion of Senator Richard, **HCR 2** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senators

Holsman Schmitt—2

Absent with leave—Senators—None

Vacancies—None

Senator Schaaf offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO.6

Relating to disapproving the recommendations of the Missouri Citizens
Commission on Compensation for Elected Officials.

Whereas, Section 3 of Article XIII of the Missouri Constitution charges the Missouri Citizens' Commission on Compensation for Elected Officials with setting the amounts of compensation paid to statewide elected officials, legislators, and judges; and

Whereas, the Constitution provides the Commission with a four-month window prior to its constitutional deadline for making salary recommendations to hold public hearings around the state to gather testimony related to salaries for affected state officials and to carefully consider whether pay increases are warranted; and

Whereas, the Missouri Citizens' Commission on Compensation for Elected Officials has recommended that the compensation for statewide elected officials, other than Lieutenant Governor, be increased by eight percent each year for fiscal years 2016 and 2017, and the compensation for the Lieutenant Governor be increased by eleven percent for the two-year period of fiscal years 2016 and 2017, representing salary increases of \$50,638 in fiscal year 2016 and an additional \$54,306 in fiscal year 2017; and

Whereas, the Missouri Citizens' Commission on Compensation for Elected Officials has also recommended that the compensation for members of the General Assembly be increased by eleven percent over fiscal years 2016 and 2017, representing a salary increase of \$4,000 per year; and

Whereas, the Missouri Citizens' Commission on Compensation for Elected Officials recommended that daily expense compensation be raised by \$26 a day and that mileage reimbursement be raised by \$0.19 per mile; and

Whereas, the Missouri Citizens' Commission on Compensation for Elected Officials recommended no increases in compensation for judges over fiscal years 2016 and 2017 so that the salaries of judges shall remain tied to the salaries of comparable positions in the federal judiciary; and

Whereas, the state has many other priorities for appropriating money in the budget that are far more important than the salary increases recommended by the Commission; and

Whereas, the Commission's recommendations shall take effect unless disapproved by the General Assembly through a concurrent resolution process passed by two-thirds majorities in each legislative chamber before February 1, 2015:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby disapprove the recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials contained in its report of November 25, 2014; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for Governor Jay Nixon.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

SB 214—By Pearce.

An Act to repeal sections 430.080 and 430.135, RSMo, and to enact in lieu thereof two new sections relating to liens on chattel.

SB 215—By Nasheed.

An Act to repeal sections 290.502, 290.512, and 290.527, RSMo, and to enact in lieu thereof three new sections relating to minimum wage, with a referendum clause.

SB 216—By Keaveny.

An Act to repeal sections 515.240, 515.250, and 515.260, RSMo, and to enact in lieu thereof thirty-four new sections relating to commercial receiverships.

SB 217—By Riddle.

An Act to repeal section 334.153, RSMo, and to enact in lieu thereof one new section relating to intervention pain management.

SB 218—By Riddle.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to healthy behavior incentives for MO HealthNet recipients.

SB 219—By Wallingford.

An Act to repeal section 169.070, RSMo, and to enact in lieu thereof one new section relating to school employee retirement, with an emergency clause.

SB 220—By Kehoe.

An Act to repeal sections 288.060, 288.122, and 288.330, RSMo, and to enact in lieu thereof three new sections relating to employment security.

SB 221—By Schatz.

An Act to repeal section 72.401, RSMo, and to enact in lieu thereof one new section relating to annexation in certain counties that have established a boundary commission.

SB 222—By Schatz.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to infrastructure owned by a communication service provider.

SB 223—By Schatz.

An Act to repeal section 137.073, RSMo, and to enact in lieu thereof one new section relating to tax rates.

SB 224—By Romine.

An Act to repeal section 160.545, RSMo, and to enact in lieu thereof one new section relating to eligibility criteria for reimbursements from the A+ schools program, with an emergency clause.

SB 225—By Romine.

An Act to repeal sections 260.235, 260.395, 444.600, 444.773, 621.250, 640.115, 643.075, 643.078, 644.051, and 644.056, RSMo, and to enact in lieu thereof eleven new sections relating to the department

of natural resources permit decision appeal procedures.

SB 226—By Emery.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet behavioral health providers.

SB 227—By Emery.

An Act to repeal section 490.715, RSMo, and to enact in lieu thereof one new section relating to evidence for the cost of medical treatment.

SB 228—By Curls.

An Act to amend chapter 82, RSMo, by adding thereto one new section relating to abandoned real property in certain cities.

SB 229—By Curls.

An Act to repeal sections 82.1025, 82.1027, 82.1029, and 82.1031, RSMo, and to enact in lieu thereof four new sections relating to property regulations in certain cities and counties.

SJR 10—By Sater.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 50 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to initiative petitions.

SJR 11—By Sater.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 1 and 6(a) of article X of the Constitution of Missouri, and adopting eleven new sections in lieu thereof relating to taxation.

Senator Emery requested unanimous consent of the Senate to withdraw **SB 85**, which request was granted.

RESOLUTIONS

Senator Dempsey moved that **SR 25** be taken up for adoption, which motion prevailed.

On motion of Senator Dempsey, **SR 25** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

COMMITTEE APPOINTMENTS

President Pro Tem Dempsey submitted the following standing committee appointments:

Gubernatorial Appointments

Schaefer

Agriculture, Food Production and Outdoor Resources

Munzlinger, Chair

Libla, Vice-Chair

Brown

Hegeman

Parson

Pearce

Curls

Holsman

Appropriations

Schaefer, Chair

Silvey, Vice-Chair

Brown

Kehoe

Parson

Pearce

Sater

Schaaf

Curls

Nasheed

Walsh

Commerce, Consumer Protection, Energy and the Environment

Kehoe, Chair

Emery, Vice-Chair

Cunningham

Kraus

Riddle

Romine

Schatz

Wallingford

Keaveny

Sifton

Walsh

Education

Pearce, Chair
Romine, Vice-Chair
Brown
Emery
Libla
Onder
Chappelle-Nadal
Holsman

Financial and Governmental Organizations and Elections

Wasson, Chair
Cunningham, Vice-Chair
Hegeman
Kraus
Riddle
Sater
Wallingford
Wieland
Keaveny
LeVota
Sifton

General Laws and Pensions

Schaaf, Chair
Wieland, Vice-Chair
Hegeman
Onder
Schatz
Keaveny
Schupp

Governmental Accountability and Fiscal Oversight

Cunningham, Chair
Silvey, Vice-Chair
Kehoe
Riddle
Wasson
LeVota
Nasheed

Jobs, Economic Development and Local Government

Schmitt, Chair
Hegeman, Vice-Chair
Dixon
Kraus
Romine
Schatz
Wasson
Wieland
Curls
Holsman
Nasheed

Judiciary and Civil and Criminal Jurisprudence

Dixon, Chair
Onder, Vice-Chair
Emery
Schaefer
Schmitt
Keaveny
Sifton

Progress and Development

Keaveny, Chair
Walsh, Vice-Chair
Schupp
Silvey
Wallingford

Seniors, Families and Children

Sater, Chair
Riddle, Vice-Chair
Kraus
Libla
Romine
Chappelle-Nadal
Schupp

Small Business, Insurance and Industry

Parson, Chair

Libla, Vice-Chair
Munzlinger
Wallingford
Wasson
Wieland
Curls
Walsh

Transportation, Infrastructure, and Public Safety

Libla, Chair
Schatz, Vice-Chair
Dixon
Kehoe
Munzlinger
Chappelle-Nadal
Curls

Veterans' Affairs and Health

Brown, Chair
Schaaf, Vice-Chair
Cunningham
Onder
Sater
Schmitt
Silvey
Chappelle-Nadal
Schupp
Sifton

Ways and Means

Kraus, Chair
Wallingford, Vice-Chair
Dixon
Emery
Onder
LeVota
Sifton

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

**SENATE HEARING SCHEDULE
98th GENERAL ASSEMBLY
FIRST REGULAR SESSION
JANUARY 12, 2015**

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.		Appropriations SCR 2 (Schaefer)	Appropriations SCR 2 (Schaefer) Transportation, Infrastructure and Public Safety SCR 1 (Libla)	
8:15 a.m.		Seniors, Families and Children SCR 1 (Sater)		
8:30 a.m.			Gubernatorial Appointments SL (Dempsey)	Ways and Means SCR 1 (Kraus) Veterans' Affairs and Health SL (Brown)
9:00 a.m.		Rules, Joint Rules, Resolutions and Ethics SL (Richard)		
12:30 p.m.	Appropriations SCR 2 (Schaefer)			
1:00 p.m.		Small Business, Insurance and Industry SCR 1 (Parson) Judiciary and Civil and Criminal Jurisprudence SL (Dixon)	Jobs, Economic Development and Local Government SL (Schmitt) Agriculture, Food Production and Outdoor Resources SCR 1 (Munzlinger)	
2:00 p.m.			Progress and Development SCR 2 (Keaveny)	
2:30 p.m.	Financial and Governmental Organizations and Elections SL (Wasson)			
3:00 p.m.		Commerce, Consumer Protection, Energy and the Environment SL (Kehoe) General Laws and Pensions SCR 1 (Schaaf)	Governmental Accountability and Fiscal Oversight SCR 1 (Cunningham) Education SL (Pearce)	

Also,


January 12, 2015

Adriane Crouse
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse,

I would like to remove Sen. Walsh from the Commerce, Consumer Protection, Energy and the Environment Committee and appoint Sen. Holsman in Sen. Walsh's place. If you have any questions, please don't hesitate to contact my office.

Sincerely,



Tom Dempsey
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Wallingford introduced to the Senate, Dr. Cassidy Obermark, and Dr. Dan Obermark, Sikeston.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FOURTH DAY—TUESDAY, JANUARY 13, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1-Pearce	SB 14-Munzlinger
SB 2-Pearce, et al	SB 15-Dixon and LeVota
SB 3-Pearce	SB 16-Dixon
SB 4-Schmitt	SB 17-Dixon
SB 5-Schmitt, et al	SB 18-Kraus
SB 6-Keaveny	SB 19-Kraus
SB 7-Keaveny	SB 20-Kraus
SB 8-Schaaf	SB 21-Chappelle-Nadal
SB 9-Schaaf	SB 22-Chappelle-Nadal
SB 10-Schaaf	SB 23-Chappelle-Nadal
SB 11-Richard	SB 24-Sater
SB 12-Munzlinger	SB 25-Sater
SB 13-Munzlinger	SB 26-Sater

SB 27-Emery	SB 68-Romine
SB 28-Emery	SB 69-LeVota
SB 29-Emery	SB 70-LeVota
SB 30-Cunningham	SB 71-LeVota
SB 31-Cunningham	SB 72-Nasheed
SB 32-Cunningham	SB 73-Holsman
SB 33-Wallingford	SB 74-Holsman
SB 34-Wallingford	SB 75-Holsman
SB 35-Wallingford	SB 76-Sifton
SB 36-Romine and Schatz	SB 77-Sifton
SB 37-Romine	SB 78-Sifton
SB 38-Romine	SB 79-Dixon
SB 39-LeVota	SB 80-Dixon
SB 40-LeVota	SB 81-Dixon
SB 41-LeVota	SB 82-Chappelle-Nadal
SB 42-Nasheed	SB 83-Chappelle-Nadal
SB 43-Nasheed	SB 84-Chappelle-Nadal
SB 44-Nasheed	SB 86-Emery
SB 45-Holsman	SB 87-Emery
SB 46-Holsman	SB 88-LeVota
SB 47-Holsman	SB 89-LeVota
SB 48-Sifton	SB 90-LeVota
SB 49-Sifton	SB 91-Dixon
SB 50-Sifton	SB 92-Emery
SB 51-Onder	SB 93-Emery
SB 52-Schaaf	SB 94-Emery
SB 53-Schaaf	SB 95-LeVota
SB 54-Munzlinger	SB 96-LeVota
SB 55-Munzlinger	SB 97-LeVota
SB 56-Munzlinger	SB 98-Emery
SB 57-Dixon	SB 99-LeVota
SB 58-Dixon	SB 100-LeVota
SB 59-Dixon	SB 101-LeVota
SB 60-Chappelle-Nadal	SB 102-LeVota
SB 61-Chappelle-Nadal	SB 103-LeVota
SB 62-Chappelle-Nadal	SB 104-Kraus
SB 63-Sater	SB 105-Kraus
SB 64-Emery	SB 106-Kraus
SB 65-Emery	SB 107-Sater
SB 66-Emery	SB 109-Schaefer
SB 67-Cunningham	SB 110-Schaefer

SB 111-Schaaf	SB 152-Wallingford
SB 112-Dixon	SB 153-Wallingford
SB 113-Dixon	SB 154-Wallingford
SB 114-Kraus	SB 155-Nasheed
SB 115-Kraus	SB 156-Nasheed
SB 116-Kraus	SB 157-Wallingford
SB 117-Brown	SB 158-Schaefer
SB 118-Brown	SB 159-Parson
SB 119-Brown	SB 160-Brown
SB 120-Walsh	SB 161-Nasheed
SB 121-Walsh	SB 162-Nasheed
SB 122-Walsh	SB 163-Nasheed
SB 123-Schupp	SB 164-Sifton
SB 124-Schupp	SB 165-Nasheed
SB 125-Schupp	SB 166-Nasheed
SB 126-Brown	SB 167-Schaaf
SB 127-Brown	SB 168-Munzlinger
SB 128-Brown	SB 169-Schaaf
SB 129-Brown	SB 170-Kraus
SB 130-Walsh and Schupp	SB 171-Romine
SB 131-Parson	SB 172-Romine
SB 132-Parson	SB 173-Romine
SB 133-Parson	SB 174-Schmitt
SB 134-Holsman	SB 175-Schmitt
SB 135-Holsman	SB 176-Schmitt
SB 136-Sifton	SB 177-Munzlinger
SB 137-Parson	SB 178-Munzlinger
SB 138-Parson	SB 179-Sater
SB 139-Parson and Kehoe	SB 180-Chappelle-Nadal
SB 140-Parson	SB 181-Curls
SB 141-Parson	SB 182-Curls
SB 142-Romine	SB 183-Curls
SB 143-Romine	SB 184-LeVota
SB 144-LeVota	SB 185-LeVota
SB 145-Pearce	SB 186-Curls
SB 146-Pearce	SB 187-Curls
SB 147-Schaaf	SB 188-Curls
SB 148-Parson	SB 189-Curls
SB 149-Parson	SB 190-Curls
SB 150-Parson	SB 191-Curls
SB 151-Sater	SB 192-Munzlinger

SB 193-LeVota	SB 217-Riddle
SB 194-Richard and Holsman	SB 218-Riddle
SB 195-Schmitt	SB 219-Wallingford
SB 196-Schaaf	SB 220-Kehoe
SB 197-Brown	SB 221-Schatz
SB 198-Brown	SB 222-Schatz
SB 199-Dixon	SB 223-Schatz
SB 200-Dixon	SB 224-Romine
SB 201-Dixon	SB 225-Romine
SB 202-Dixon	SB 226-Emery
SB 203-Dixon	SB 227-Emery
SB 204-Parson	SB 228-Curls
SB 205-Parson	SB 229-Curls
SB 206-Parson	SJR 1-Munzlinger
SB 207-Pearce	SJR 2-Dixon
SB 208-Sater	SJR 3-Chappelle-Nadal
SB 209-Sater	SJR 4-Emery
SB 210-Schaefer	SJR 5-Kraus
SB 211-Walsh and Dixon	SJR 6-Curls
SB 212-Walsh	SJR 7-Richard
SB 213-Wallingford	SJR 8-Schmitt
SB 214-Pearce	SJR 9-Schmitt
SB 215-Nasheed	SJR 10-Sater
SB 216-Keavney	SJR 11-Emery

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 3-Wallingford	SCR 5-Romine
SCR 4-Walsh	SCR 6-Schaaf

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal



Journal of the Senate

FIRST REGULAR SESSION

FOURTH DAY—TUESDAY, JANUARY 13, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Prove me, O Lord, and try me; test my heart and mind. For your steadfast love is before my eyes, and I walk in faithfulness to you.”
(Psalm 26:2-3)

There are many tests and temptations that face us in our role as senators and staff, so Lord, we are in need of Your help and guidance, Your strength and steadfast love so that we may not yield but remain faithful as we walk the path that You desire for us. May You keep our feet on level ground so we are able to dwell where Your glory dwells. In Your Holy Name we pray, O God, of my salvation. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senators LeVota, Curls and Holsman offered Senate Resolution No. 37, regarding the death of Pat Gray, which was adopted.

Senator Dempsey offered Senate Resolution No. 38, regarding Elisha Kline, which was adopted.

Senator Dempsey offered Senate Resolution No. 39, regarding Officer Jeremy Bratton, which was adopted.

Senator Dempsey offered Senate Resolution No. 40, regarding Detective Michael Harvey (Ret.), which was adopted.

Senator Dempsey offered Senate Resolution No. 41, regarding Detective Dave Weissenborn, which was adopted.

Senator Dempsey offered Senate Resolution No. 42, regarding Detective Paul Price, which was adopted.

Senator Dempsey offered Senate Resolution No. 43, regarding Sergeant Gary Schwendemann, which was adopted.

Senator Dempsey offered Senate Resolution No. 44, regarding Evidence Technician Patricia Hallemeier, which was adopted.

Senator Dempsey offered Senate Resolution No. 45, regarding Officer Dave Bauer (Ret.), which was adopted.

Senator Dempsey offered Senate Resolution No. 46, regarding Officer Robert Frame (Ret.), which was adopted.

Senator Dempsey offered Senate Resolution No. 47, regarding Sergeant Ron Bextermueller (Ret.), which was adopted.

Senator Dempsey offered Senate Resolution No. 48, regarding Officer Dave McNown, which was adopted.

Senator Dempsey offered Senate Resolution No. 49, regarding Sergeant Herb Morie (Ret.), which was adopted.

Senator Dempsey offered Senate Resolution No. 50, regarding Lieutenant David Simpson (Ret.), which was adopted.

Senator Dempsey offered Senate Resolution No. 51, regarding Officer John Young (Ret.), which was adopted.

Senator Dempsey offered Senate Resolution No. 52, regarding Linda Faulkner, which was adopted.

Senator Dempsey offered Senate Resolution No. 53, regarding the Honorable Jack Banas, which was adopted.

Senator Dempsey offered Senate Resolution No. 54, regarding Assistant Prosecuting Attorney Phil

Groenweghe, which was adopted.

Senator Dempsey offered Senate Resolution No. 55, regarding Officer Rich Tiemann (Ret.), which was adopted.

Senator Dempsey offered Senate Resolution No. 56, regarding Evidence Technician Mary Magrew (Ret.), which was adopted.

Senator Dempsey offered Senate Resolution No. 57, regarding SCCSD Lieutenant Peggy Neer (Ret.), which was adopted.

Senator Dempsey offered Senate Resolution No. 58, regarding Lab Employee Dan Fahrenstock, which was adopted.

Senator Dempsey offered Senate Resolution No. 59, regarding Joseph Varney, which was adopted.

Senator Dempsey offered Senate Resolution No. 60, regarding William Forness, which was adopted.

Senator Dempsey offered Senate Resolution No. 61, regarding Nicholas Ulses, which was adopted.

Senator Dempsey offered Senate Resolution No. 62, regarding Carol Cole, which was adopted.

Senator Dempsey offered Senate Resolution No. 63, regarding James Cole, which was adopted.

Senator Dempsey offered Senate Resolution No. 64, regarding Lindsey Shields, which was adopted.

Senator Dempsey offered Senate Resolution No. 65, regarding Patricia Hallemeier, which was adopted.

Senator Cunningham offered Senate Resolution No. 66, regarding Jeff Hogan, Gainesville, which was adopted.

Senator Cunningham offered Senate Resolution No. 67, regarding Estel Robirds, which was adopted.

Senator Cunningham offered Senate Resolution No. 68, regarding Ray Smith, West Plains, which was adopted.

Senator Riddle offered Senate Resolution No. 69, regarding Anthony “Tony” Robertson, Mexico, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 230—By Romine.

An Act to repeal sections 208.151, 208.152, 208.670, 208.952, and 208.955, RSMo, and to enact in lieu thereof twelve new sections relating to the MO HealthNet program, with penalty provisions.

SB 231—By Kehoe.

An Act to repeal section 306.100, RSMo, and to enact in lieu thereof one new section relating to motorboats.

SB 232—By Kehoe.

An Act to repeal section 304.154, RSMo, and to enact in lieu thereof two new sections relating to tow truck operations, with penalty provisions.

SB 233—By Kehoe.

An Act to repeal section 490.065, RSMo, and to enact in lieu thereof one new section relating to expert witnesses.

SB 234—By Kehoe.

An Act to repeal section 198.070 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 198.070 as enacted by senate bills nos. 556 & 311, ninety-second general assembly, first regular session, and to enact in lieu thereof one new section relating to sexual assault reporting, with existing penalty provisions.

SB 235—By Dixon.

An Act to repeal section 476.1000, RSMo, relating to notice of entry of appearance.

SB 236—By Keaveny.

An Act to repeal section 307.178, RSMo, and to enact in lieu thereof one new section relating to seat belts, with penalty provisions.

SB 237—By Keaveny, Schupp, Walsh, Sifton, LeVota, Nasheed, Chappelle-Nadal, Curls and Holsman.

An Act to repeal sections 213.010, 213.030, 213.040, 213.045, 213.050, 213.055, 213.065, 213.070, and 213.101, RSMo, and to enact in lieu thereof nine new sections relating to discrimination based on sexual orientation or gender identity.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 1—Education.

SB 2—Rules, Joint Rules, Resolutions and Ethics.

SB 3—Transportation, Infrastructure and Public Safety.

SB 4—Ways and Means.

SB 5—Jobs, Economic Development and Local Government.

SB 6—Education.

SB 7—Education.

SB 8—Veterans' Affairs and Health.

SB 9—General Laws and Pensions.

SB 10—Veterans’ Affairs and Health.

SB 11—Rules, Joint Rules, Resolutions and Ethics.

SB 12—Agriculture, Food Production and Outdoor Resources.

SB 13—Education.

SB 14—Governmental Accountability and Fiscal Oversight.

SB 15—Ways and Means.

SB 16—Financial and Governmental Organizations and Elections.

SB 17—Judiciary and Civil and Criminal Jurisprudence.

SB 18—Ways and Means.

SB 19—Ways and Means.

SB 20—Ways and Means.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Coach Dave Harris; and team members Tory Wiley, Erica Haslag, Molly Sandbothe, Lindsey Griggs, Laura Schieber, Abby Farrow, Blake Berhorst, Ashley Dudenhoeffer, Maddie Dunkmann, Megan Brown, Suzie Kuensting, Clarissa Fennessey, Courtney Hilke, Hannah Eynard and Lexy Lamb, 2014 Class 3 state champion Helias Catholic High School volleyball team; and Mr. Clarence Lawson, Jefferson City.

Senator Schupp introduced to the Senate, LaDonna Appelbaum, Crystal Brigman Mahaney and Drew Noblot, St. Louis.

Senator Brown introduced to the Senate, former State Representative David Steelman, Rolla.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTH DAY—WEDNESDAY, JANUARY 14, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 21-Chappelle-Nadal

SB 22-Chappelle-Nadal

SB 23-Chappelle-Nadal

SB 24-Sater

SB 25-Sater	SB 62-Chappelle-Nadal
SB 26-Sater	SB 63-Sater
SB 27-Emery	SB 64-Emery
SB 28-Emery	SB 65-Emery
SB 29-Emery	SB 66-Emery
SB 30-Cunningham	SB 67-Cunningham
SB 31-Cunningham	SB 68-Romine
SB 32-Cunningham	SB 69-LeVota
SB 33-Wallingford	SB 70-LeVota
SB 34-Wallingford	SB 71-LeVota
SB 35-Wallingford	SB 72-Nasheed
SB 36-Romine and Schatz	SB 73-Holsman
SB 37-Romine	SB 74-Holsman
SB 38-Romine	SB 75-Holsman
SB 39-LeVota	SB 76-Sifton
SB 40-LeVota	SB 77-Sifton
SB 41-LeVota	SB 78-Sifton
SB 42-Nasheed	SB 79-Dixon
SB 43-Nasheed	SB 80-Dixon
SB 44-Nasheed	SB 81-Dixon
SB 45-Holsman	SB 82-Chappelle-Nadal
SB 46-Holsman	SB 83-Chappelle-Nadal
SB 47-Holsman	SB 84-Chappelle-Nadal
SB 48-Sifton	SB 86-Emery
SB 49-Sifton	SB 87-Emery
SB 50-Sifton	SB 88-LeVota
SB 51-Onder	SB 89-LeVota
SB 52-Schaaf	SB 90-LeVota
SB 53-Schaaf	SB 91-Dixon
SB 54-Munzlinger	SB 92-Emery
SB 55-Munzlinger	SB 93-Emery
SB 56-Munzlinger	SB 94-Emery
SB 57-Dixon	SB 95-LeVota
SB 58-Dixon	SB 96-LeVota
SB 59-Dixon	SB 97-LeVota
SB 60-Chappelle-Nadal	SB 98-Emery
SB 61-Chappelle-Nadal	SB 99-LeVota

SB 100-LeVota	SB 138-Parson
SB 101-LeVota	SB 139-Parson and Kehoe
SB 102-LeVota	SB 140-Parson
SB 103-LeVota	SB 141-Parson
SB 104-Kraus	SB 142-Romine
SB 105-Kraus	SB 143-Romine
SB 106-Kraus	SB 144-LeVota
SB 107-Sater	SB 145-Pearce
SB 109-Schaefer	SB 146-Pearce
SB 110-Schaefer	SB 147-Schaaf
SB 111-Schaaf	SB 148-Parson
SB 112-Dixon	SB 149-Parson
SB 113-Dixon	SB 150-Parson
SB 114-Kraus	SB 151-Sater
SB 115-Kraus	SB 152-Wallingford
SB 116-Kraus	SB 153-Wallingford
SB 117-Brown	SB 154-Wallingford
SB 118-Brown	SB 155-Nasheed
SB 119-Brown	SB 156-Nasheed
SB 120-Walsh	SB 157-Wallingford
SB 121-Walsh	SB 158-Schaefer
SB 122-Walsh	SB 159-Parson
SB 123-Schupp	SB 160-Brown
SB 124-Schupp	SB 161-Nasheed
SB 125-Schupp	SB 162-Nasheed
SB 126-Brown	SB 163-Nasheed
SB 127-Brown	SB 164-Sifton
SB 128-Brown	SB 165-Nasheed
SB 129-Brown	SB 166-Nasheed
SB 130-Walsh and Schupp	SB 167-Schaaf
SB 131-Parson	SB 168-Munzlinger
SB 132-Parson	SB 169-Schaaf
SB 133-Parson	SB 170-Kraus
SB 134-Holsman	SB 171-Romine
SB 135-Holsman	SB 172-Romine
SB 136-Sifton	SB 173-Romine
SB 137-Parson	SB 174-Schmitt

SB 175-Schmitt	SB 212-Walsh
SB 176-Schmitt	SB 213-Wallingford
SB 177-Munzlinger	SB 214-Pearce
SB 178-Munzlinger	SB 215-Nasheed
SB 179-Sater	SB 216-Keaveny
SB 180-Chappelle-Nadal	SB 217-Riddle
SB 181-Curls	SB 218-Riddle
SB 182-Curls	SB 219-Wallingford
SB 183-Curls	SB 220-Kehoe
SB 184-LeVota	SB 221-Schatz
SB 185-LeVota	SB 222-Schatz
SB 186-Curls	SB 223-Schatz
SB 187-Curls	SB 224-Romine
SB 188-Curls	SB 225-Romine
SB 189-Curls	SB 226-Emery
SB 190-Curls	SB 227-Emery
SB 191-Curls	SB 228-Curls
SB 192-Munzlinger	SB 229-Curls
SB 193-LeVota	SB 230-Romine
SB 194-Richard and Holsman	SB 231-Kehoe
SB 195-Schmitt	SB 232-Kehoe
SB 196-Schaaf	SB 233-Kehoe
SB 197-Brown	SB 234-Kehoe
SB 198-Brown	SB 235-Dixon
SB 199-Dixon	SB 236-Keaveny
SB 200-Dixon	SB 237-Keaveny, et al
SB 201-Dixon	SJR 1-Munzlinger
SB 202-Dixon	SJR 2-Dixon
SB 203-Dixon	SJR 3-Chappelle-Nadal
SB 204-Parson	SJR 4-Emery
SB 205-Parson	SJR 5-Kraus
SB 206-Parson	SJR 6-Curls
SB 207-Pearce	SJR 7-Richard
SB 208-Sater	SJR 8-Schmitt
SB 209-Sater	SJR 9-Schmitt
SB 210-Schaefer	SJR 10-Sater
SB 211-Walsh and Dixon	SJR 11-Emery

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 3-Wallingford

SCR 5-Romine

SCR 4-Walsh

SCR 6-Schaaf

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

✓

Journal of the Senate

FIRST REGULAR SESSION

FIFTH DAY—WEDNESDAY, JANUARY 14, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord is my light and my salvation; Whom shall I fear? The Lord is the stronghold of my life; of whom shall I be afraid?”

Almighty God, we are a people who trust in You and seek to ensure that justice is lived and practiced among us. Help us know what we can do to make sure that the laws we pass spring forth from our desire to make sure our people’s rights are protected and they may not be afraid of living righteously as Your people. And because we trust in You we are not afraid to seek truth and do what is right. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

Absent—Senators—None

Absent with leave—Senator Emery—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 70, regarding Loyd Ivey, Bollinger County, which was adopted.

Senator Sifton offered Senate Resolution No. 71, regarding Alex Lucarz, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 72, regarding Matthew Gerard Sluss, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 73, regarding Tyler A. Lucarz, Saint Louis, which was adopted.

Senator Libla offered Senate Resolution No. 74, regarding Tammy Kassinger, Wappapello, which was adopted.

Senator Richard offered Senate Resolution No. 75, regarding Frontier Leasing, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 76, regarding D&D Sexton, Carthage, which was adopted.

Senator Richard offered Senate Resolution No. 77, regarding Harry Rogers, which was adopted.

Senator Munzlinger offered Senate Resolution No. 78, regarding Kirksville Area Chamber of Commerce, which was adopted.

Senator Sifton offered Senate Resolution No. 79, regarding Ian Joseph Hilmes, Saint Louis, which was adopted.

CONCURRENT RESOLUTIONS

Senator Brown offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 7

Whereas, in April 2014, the Department of Defense announced that the Pentagon will seek further mission realignments, personnel reductions and procurement decreases as part of the federal budget cutting process; and

Whereas, United States Secretary of Defense Chuck Hagel states that, in an effort to cut over \$1 trillion over the next decade, the number of soldiers in the United States Army will drop over the next five years from 562,000 to 420,000, and the number of Marines in the United States Marine Corps will drop over the next five years from 202,000 to 175,000; and

Whereas, the Air Force may cut up to 25,000 total force airmen, or about four percent of its people, and up to 550 aircraft or about nine percent of its inventory; and

Whereas, the Pentagon planners intend to reduce procurement of weapons systems by \$66.2 billion from fiscal year 2016 to fiscal year 2019; and

Whereas, Missouri is currently home to a number of major military bases and agencies, including Whiteman Air Force Base near Knob Noster and its 509th Bomb Wing, the only Air Force Unit that operates the B-2 Spirit Stealth Bomber; the United States Army Maneuver Support Center at Fort Leonard Wood and its Chemical, Biological, Nuclear and Radiological School (CBRN), Military Police, and Engineer Schools; the National Geospatial-Intelligence Agency (NGA) in Arnold; the Missouri National Guard's Ike Skelton Training Center (ISTS) in Jefferson

City; the Theater Aviation Sustainment Maintenance Group (TASMG) in Springfield; and the 139th Airlift Wing in St. Joseph, among numerous other facilities and locations; and

Whereas, the Department of Defense's spending and related activities triggered nearly \$11.6 billion in household earnings for workers in Missouri, including an estimated \$6.2 billion in direct compensation to active military personnel, civilian personnel, trainees, inactive duty, retired personnel living in the state, workers directly hired by contracted firms, and workers directly hired in tourism or education-related industries, and \$11.6 billion in added household earnings from the multiplier effects; and

Whereas, in total, the Department of Defense's spending and related activities supported 275,000 jobs for state residents, including an estimated 123,000 direct jobs in the state of Missouri and 152,000 jobs added through the multiplier effects. The direct jobs include active military personnel, civilian personnel, trainees, inactive duty, and workers directly hired by contracted firms, and workers directly hired in tourism or education related industries. This does not include retired personnel; and

Whereas, the estimated total output (economic activity) triggered by the Department of Defense's spending and related activities (\$15 billion) and the added multiplier effects (\$24.8 billion) was \$39.8 billion for Missouri; and

Whereas, Missouri's defense industry plays a vital role in the state's economy, employing 160,000 Missourians working to support, either directly or indirectly, over \$12 billion in Department of Defense procurement contracts awarded to Missouri companies, ranking fifth among the states in total dollars; and

Whereas, Missouri's defense procurement contracts are heavily oriented toward research and operational systems and manufacturing companies, particularly aerospace manufacturing at the Boeing Company, Missouri's third largest employer, and its supply chain; and

Whereas, Missouri is home to several outstanding universities, including the University of Missouri, Washington University, and St. Louis University, that conduct cutting edge defense research for the government, providing the innovation needed to keep our military the finest in the world and creating the academic environment necessary to produce critical talent for government and industry workforce; and

Whereas, the nation's primary concern must always be national defense and the security of the United States, including Missouri; and

Whereas, Missouri is heavily committed to providing for our national defense and security as an accommodating partner and a proud home to major military installations and agencies, 63,700 military and federal civilian personnel, and 162,000 citizens who work at companies that manufacture defense systems, provide valuable services, and perform critical research; and

Whereas, Missouri has a vital economic interest in maintaining its military installations and agencies, and in presenting to national leaders evidence of Missouri's capacity to provide additional, cost effective, and flexible support to defense missions during the federal government's efforts to re-establish its basing, costing, and capabilities:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby strongly urge the United States Department of Defense and Missouri's Congressional delegation to protect, promote, and leverage Missouri's military bases and agencies, keep the number of military personnel in the state intact, and preserve defense industry procurement so that Missouri may continue to support the defense and protection of the state and the United States and keep its economy in sound condition; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for United States Secretary of Defense Chuck Hagel and each member of Missouri's Congressional delegation.

INTRODUCTION OF BILLS

SB 238—By LeVota.

An Act to amend chapters 104 and 476, RSMo, by adding thereto two new sections relating to retirement benefits.

SB 239—By Brown.

An Act to repeal sections 1.010 and 538.210, RSMo, and to enact in lieu thereof two new sections relating to a statutory cause of action against healthcare providers.

SB 240—By Keaveny and Schaaf.

An Act to amend chapter 29, RSMo, by adding thereto one new section relating to requiring the state auditor to report on the costs of administering the death penalty.

SB 241—By Keaveny.

An Act to repeal section 160.261 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session and section 160.261 as enacted by house bill no. 215 merged with house bill no. 505, ninety-seventh general assembly, first regular session, RSMo, and to enact in lieu thereof one new section relating to the use of corporal punishment in schools, with an existing penalty provision.

SB 242—By Dixon.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to a sales tax for early childhood education programs.

SB 243—By Schmitt.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet managed care rates.

SB 244—By Schmitt.

An Act to amend chapter 409, RSMo, by adding thereto seven new sections relating to the financial exploitation of certain elderly and disabled individuals.

SB 245—By Hegeman.

An Act to repeal section 65.620, RSMo, and to enact in lieu thereof one new section relating to tax collection in counties that have abolished the township form of government.

SB 246—By Hegeman.

An Act to amend chapter 477, RSMo, by adding thereto one new section relating to judge disqualification.

SB 247—By Sifton.

An Act to repeal sections 290.400, 290.410, 290.440, and 290.450, RSMo, and to enact in lieu thereof three new sections relating to employment practices relating to gender.

SB 248—By Schaefer.

An Act to amend chapter 173, RSMo, by adding thereto two new sections relating to student associations at public institutions of higher learning.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

January 13, 2015

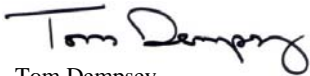
Adriane Crouse
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse,

I would like to remove Sen. Brown from the Missouri Tourism Commission and appoint Sen. Sater in Sen. Brown's place. If you have any

questions, please don't hesitate to contact my office.

Sincerely,



Tom Dempsey
President Pro Tem

Also,

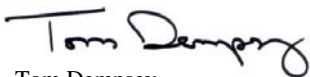
January 13, 2015

Adriane Crouse
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse,

I would like to remove Sen. Pearce from the Missouri Veterans Commission and appoint Sen. Brown in Sen. Pearce's place. If you have any questions, please don't hesitate to contact my office.

Sincerely,



Tom Dempsey
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Parson introduced to the Senate, former State Senator Delbert Scott, Lowry City.

Senator Pearce introduced to the Senate, David Rogers, Warrensburg.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTH DAY--THURSDAY, JANUARY 15, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 21-Chappelle-Nadal
SB 22-Chappelle-Nadal
SB 23-Chappelle-Nadal
SB 24-Sater
SB 25-Sater

SB 26-Sater
SB 27-Emery
SB 28-Emery
SB 29-Emery
SB 30-Cunningham

SB 31-Cunningham	SB 75-Holsman
SB 32-Cunningham	SB 76-Sifton
SB 33-Wallingford	SB 77-Sifton
SB 34-Wallingford	SB 78-Sifton
SB 35-Wallingford	SB 79-Dixon
SB 36-Romine and Schatz	SB 80-Dixon
SB 37-Romine	SB 81-Dixon
SB 38-Romine	SB 82-Chappelle-Nadal
SB 39-LeVota	SB 83-Chappelle-Nadal
SB 40-LeVota	SB 84-Chappelle-Nadal
SB 41-LeVota	SB 86-Emery
SB 42-Nasheed	SB 87-Emery
SB 43-Nasheed	SB 88-LeVota
SB 44-Nasheed	SB 89-LeVota
SB 45-Holsman	SB 90-LeVota
SB 46-Holsman	SB 91-Dixon
SB 47-Holsman	SB 92-Emery
SB 48-Sifton	SB 93-Emery
SB 49-Sifton	SB 94-Emery
SB 50-Sifton	SB 95-LeVota
SB 51-Onder	SB 96-LeVota
SB 52-Schaaf	SB 97-LeVota
SB 53-Schaaf	SB 98-Emery
SB 54-Munzlinger	SB 99-LeVota
SB 55-Munzlinger	SB 100-LeVota
SB 56-Munzlinger	SB 101-LeVota
SB 57-Dixon	SB 102-LeVota
SB 58-Dixon	SB 103-LeVota
SB 59-Dixon	SB 104-Kraus
SB 60-Chappelle-Nadal	SB 105-Kraus
SB 61-Chappelle-Nadal	SB 106-Kraus
SB 62-Chappelle-Nadal	SB 107-Sater
SB 63-Sater	SB 109-Schaefer
SB 64-Emery	SB 110-Schaefer
SB 65-Emery	SB 111-Schaaf
SB 66-Emery	SB 112-Dixon
SB 67-Cunningham	SB 113-Dixon
SB 68-Romine	SB 114-Kraus
SB 69-LeVota	SB 115-Kraus
SB 70-LeVota	SB 116-Kraus
SB 71-LeVota	SB 117-Brown
SB 72-Nasheed	SB 118-Brown
SB 73-Holsman	SB 119-Brown
SB 74-Holsman	SB 120-Walsh

SB 121-Walsh	SB 165-Nasheed
SB 122-Walsh	SB 166-Nasheed
SB 123-Schupp	SB 167-Schaaf
SB 124-Schupp	SB 168-Munzlinger
SB 125-Schupp	SB 169-Schaaf
SB 126-Brown	SB 170-Kraus
SB 127-Brown	SB 171-Romine
SB 128-Brown	SB 172-Romine
SB 129-Brown	SB 173-Romine
SB 130-Walsh and Schupp	SB 174-Schmitt
SB 131-Parson	SB 175-Schmitt
SB 132-Parson	SB 176-Schmitt
SB 133-Parson	SB 177-Munzlinger
SB 134-Holsman	SB 178-Munzlinger
SB 135-Holsman	SB 179-Sater
SB 136-Sifton	SB 180-Chappelle-Nadal
SB 137-Parson	SB 181-Curls
SB 138-Parson	SB 182-Curls
SB 139-Parson and Kehoe	SB 183-Curls
SB 140-Parson	SB 184-LeVota
SB 141-Parson	SB 185-LeVota
SB 142-Romine	SB 186-Curls
SB 143-Romine	SB 187-Curls
SB 144-LeVota	SB 188-Curls
SB 145-Pearce	SB 189-Curls
SB 146-Pearce	SB 190-Curls
SB 147-Schaaf	SB 191-Curls
SB 148-Parson	SB 192-Munzlinger
SB 149-Parson	SB 193-LeVota
SB 150-Parson	SB 194-Richard and Holsman
SB 151-Sater	SB 195-Schmitt
SB 152-Wallingford	SB 196-Schaaf
SB 153-Wallingford	SB 197-Brown
SB 154-Wallingford	SB 198-Brown
SB 155-Nasheed	SB 199-Dixon
SB 156-Nasheed	SB 200-Dixon
SB 157-Wallingford	SB 201-Dixon
SB 158-Schaefer	SB 202-Dixon
SB 159-Parson	SB 203-Dixon
SB 160-Brown	SB 204-Parson
SB 161-Nasheed	SB 205-Parson
SB 162-Nasheed	SB 206-Parson
SB 163-Nasheed	SB 207-Pearce
SB 164-Sifton	SB 208-Sater

SB 209-Sater	SB 235-Dixon
SB 210-Schaefer	SB 236-Keaveny
SB 211-Walsh and Dixon	SB 237-Keaveny, et al
SB 212-Walsh	SB 238-LeVota
SB 213-Wallingford	SB 239-Brown
SB 214-Pearce	SB 240-Keaveny and Schaaf
SB 215-Nasheed	SB 241-Keaveny
SB 216-Keaveny	SB 242-Dixon
SB 217-Riddle	SB 243-Schmitt
SB 218-Riddle	SB 244-Schmitt
SB 219-Wallingford	SB 245-Hegeman
SB 220-Kehoe	SB 246-Hegeman
SB 221-Schatz	SB 247-Sifton
SB 222-Schatz	SB 248-Schaefer
SB 223-Schatz	SJR 1-Munzlinger
SB 224-Romine and Dixon	SJR 2-Dixon
SB 225-Romine	SJR 3-Chappelle-Nadal
SB 226-Emery	SJR 4-Emery
SB 227-Emery	SJR 5-Kraus
SB 228-Curls	SJR 6-Curls
SB 229-Curls	SJR 7-Richard
SB 230-Romine	SJR 8-Schmitt
SB 231-Kehoe	SJR 9-Schmitt
SB 232-Kehoe	SJR 10-Sater
SB 233-Kehoe	SJR 11-Emery
SB 234-Kehoe	

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 3-Wallingford	SCR 6-Schaaf
SCR 4-Walsh	SCR 7-Brown
SCR 5-Romine	

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

✓

Journal of the Senate

FIRST REGULAR SESSION

SIXTH DAY—THURSDAY, JANUARY 15, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord is the strength of his people; he is the saving refuge of his anointed.” (Psalm 28:8)

Heavenly Father, be with us as we wrap up things for this week. And as we set out to travel this day we remember how You led Sarah and Abraham on their pilgrimage and the people of Israel through the wilderness, so also protect the management of our way and guide all who travel this day bringing all to a welcome homecoming. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Richard announced photographers from KRCG-TV and The Missouri Times were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Keaveny
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

Absent—Senators—None

Absent with leave—Senators

Cunningham Hegeman—2

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Silvey offered Senate Resolution No. 80, regarding Andrew John Stockmann, Liberty, which was adopted.

Senator Sater offered Senate Resolution No. 81, regarding Randy Fogle, Branson, which was adopted.

Senator Sater offered Senate Resolution No. 82, regarding the Sixtieth Wedding Anniversary of Calvin and Delphia Holman, Cassville, which was adopted.

Senator Curls offered Senate Resolution No. 83, regarding the death of Reverend Nelson “Fuzzy” Thompson, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 84, regarding American Central Transport, Liberty, which was adopted.

Senator Kehoe offered Senate Resolution No. 85, regarding Opies Transport, Inc., which was adopted.

Senator Kehoe offered Senate Resolution No. 86, regarding Twehous Excavating Co., Inc., which was adopted.

Senator LeVota offered Senate Resolution No. 87, regarding the death of Peter Michael Gromowsky, Kansas City, which was adopted.

Senator Schupp offered Senate Resolution No. 88, regarding Glenn Eidman, Creve Coeur, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 249—By Holsman.

An Act to repeal section 301.227, RSMo, and to enact in lieu thereof one new section relating to the duty of scrap metal operators to obtain certificates of title for certain inoperable motor vehicles.

SB 250—By Onder.

An Act to amend chapter 324, RSMo, by adding thereto ten new sections relating to the statewide licensure of electrical contractors, with penalty provisions.

SB 251—By Onder.

An Act to repeal section 162.1250, RSMo, and to enact in lieu thereof one new section relating to virtual education.

SB 252—By Romine.

An Act to repeal section 217.360 and section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, RSMo, and to enact in lieu thereof two new sections relating to a prohibition on certain telecommunications items being possessed in correctional facilities, with penalty provisions.

SB 253—By Romine.

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the

governor's authority to make certain conveyances of state property.

SB 254—By Kraus.

An Act to repeal section 301.3097, RSMo, and to enact in lieu thereof one new section relating to the World War I memorial trust fund.

SB 255—By Schaaf and Holsman.

An Act to repeal section 195.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 195.010 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, section 195.017 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 195.017 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, RSMo, and to enact in lieu thereof seven new sections relating to industrial hemp, with penalty provisions.

SB 256—By Sater and Nasheed.

An Act to amend chapter 454, RSMo, by adding thereto one new section relating to state debt owed by noncustodial parents.

SB 257—By Sater.

An Act to repeal section 208.166, RSMo, and to enact in lieu thereof one new section relating to managed care organizations.

SB 258—By Wallingford.

An Act to repeal section 221.407, RSMo, and to enact in lieu thereof one new section relating to a sales tax for regional jail districts.

SB 259—By Wallingford.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to public funding for family planning.

SB 260—By Schaefer.

An Act to repeal section 208.480, RSMo, and to enact in lieu thereof one new section relating to hospital reimbursement allowance taxes.

SB 261—By Schaefer.

An Act to repeal section 190.839, RSMo, and to enact in lieu thereof one new section relating to ground ambulance service reimbursement allowance taxes.

SB 262—By Schaefer.

An Act to repeal section 198.439, RSMo, and to enact in lieu thereof one new section relating to nursing facility reimbursement allowance taxes.

SB 263—By Schaefer.

An Act to repeal section 338.550, RSMo, and to enact in lieu thereof one new section relating to pharmacy reimbursement allowance taxes.

SB 264—By Schaefer.

An Act to repeal section 208.437, RSMo, and to enact in lieu thereof one new section relating to medicaid managed care organization reimbursement allowance taxes.

SB 265—By Schaefer.

An Act to repeal section 633.401, RSMo, and to enact in lieu thereof one new section relating to intermediate care facility for the intellectually disabled reimbursement allowance taxes.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 13, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Vernal Brown as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, submitted to you on January 7, 2015. Line 3 should be amended to read:

District, for a term ending November 11, 2015, and until her successor is duly appointed

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 13, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Jason Hall as a member of the Missouri Workforce Investment Board, submitted to you on January 7, 2015. Line 2 should be amended to read:

Missouri Workforce Investment Board, for a term ending March 3, 2017, and until his

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 13, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Audrey McIntosh as a member of the Administrative Hearing Commission, submitted to you on January 7, 2015. Line 3 and 4 should be amended to read:

January 5, 2021, and until her successor is duly appointed and qualified; vice, Mary E. Nelson, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 13, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Damon Porter as the Director of the Division of Employment Security, submitted to you on January 7, 2015. Lines 1 and 2 should be amended to read:

Damon S. Porter, 5610 Wyandotte Street, Kansas City, Jackson County, Missouri 64113, as Director of the Division of Employment Security, for a term ending at the

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 13, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Maynard Wallace as a member of the State Board of Education, submitted to you on January 7, 2015. Line 3 should be amended to read:

until his successor is duly appointed and qualified; vice, Michael J. Ponder, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

REFERRALS

President Pro Tem Dempsey referred the above addendums to the Committee on Gubernatorial Appointments.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

John A. Wright, Sr., Democrat; Delbert Lee Scott, Republican; Kent Farnsworth, Republican; Alicia M. Herald, Democrat; and Peggy Lea Taylor, Independent, as members of the Missouri Charter Public School Commission;

Also,

Steven D. Bodenhamer, Republican, as a member of the Missouri Public Entity Risk Management Fund Board of Trustees;

Also,

Paul K. Kincaid, Independent, as a member of the State Lottery Commission;

Also,

William Gipson, Republican, as a member of the Missouri Southern State University Board of Governors;

Also,

David L. Steelman, Republican, as a member of the University of Missouri Board of Curators;

Also,

Mark Langworthy and Viola Schaefer, as members of the Missouri Consolidated Health Care Plan Board of Trustees;

Also,

Andrew (Butch) Albert, as Chairman of the State Board of Mediation; and

Cynthia L. Heislen, Democrat, as a member of the Missouri Community Service Commission.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointment, which motion prevailed.

COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following escort committee pursuant to **HCR 1**: Senators Curls, Keaveny, Kehoe, Kraus, Munzlinger, Nasheed, Pearce, Sifton, Walsh and Wasson.

President Pro Tem Dempsey appointed the following escort committee pursuant to **HCR 2**: Senators Chappelle-Nadal, Dixon, Emery, Holsman, Keaveny, Schaaf, Schaefer, Schmitt, Schupp and Sifton.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 21—Transportation, Infrastructure and Public Safety.

SB 22—Education.

SB 23—Judiciary and Civil and Criminal Jurisprudence.

SB 24—Seniors, Families and Children.

SB 25—Ways and Means.

SB 26—Veterans' Affairs and Health.

SB 27—Education.

SB 28—Education.

SB 29—Education.

SB 30—Judiciary and Civil and Criminal Jurisprudence.

SB 31—Judiciary and Civil and Criminal Jurisprudence.

SB 32—Ways and Means.

SB 33—Judiciary and Civil and Criminal Jurisprudence.

SB 34—Financial and Governmental Organizations and Elections.

SB 35—Veterans’ Affairs and Health.

SB 36—Judiciary and Civil and Criminal Jurisprudence.

SB 37—Small Business, Insurance and Industry.

SB 38—General Laws and Pensions.

SB 39—Agriculture, Food Production and Outdoor Resources.

SB 40—Ways and Means.

SB 41—Financial and Governmental Organizations and Elections.

SB 42—Judiciary and Civil and Criminal Jurisprudence.

SB 43—Judiciary and Civil and Criminal Jurisprudence.

SB 44—Small Business, Insurance and Industry.

SB 45—Jobs, Economic Development and Local Government.

SB 46—Veterans’ Affairs and Health.

SB 47—Commerce, Consumer Protection, Energy and the Environment.

SB 48—Rules, Joint Rules, Resolutions and Ethics.

SB 49—Education.

SB 50—Jobs, Economic Development and Local Government.

SECOND READING OF CONCURRENT RESOLUTIONS

The following concurrent resolutions were read the 2nd time and referred to the Committees indicated:

SCR 4—Rules, Joint Rules, Resolutions and Ethics.

SCR 6—Rules, Joint Rules, Resolutions and Ethics.

REFERRALS

President Pro Tem Dempsey referred **SCR 3** and **SCR 5** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

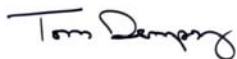
January 15, 2015

Adriane Crouse
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse,

I would like to appoint Sen. Riddle to the Joint Committee on Education. If you have any questions, please don't hesitate to contact my office.

Sincerely



Tom Dempsey
President Pro Tem

Also,

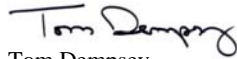
January 15, 2015

Adriane Crouse
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse,

I would like to appoint Sen. Schaaf to the Joint Committee on Public Employee Retirement. If you have any questions, please don't hesitate to contact my office.

Sincerely



Tom Dempsey
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Wallingford introduced to the Senate, Roger and Connie Friedrich and their son, Blake, Cape Girardeau; Jeff Buchheit, Jackson; Bruce Aden; Becky Sampson, Versailles; Jaycee Hazelwood and Stef Copeland.

On motion of Senator Richard, the Senate adjourned to 4:00 p.m., Tuesday, January 20, 2015.

SENATE CALENDAR

SEVENTH DAY—TUESDAY, JANUARY 20, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 51-Onder	SB 81-Dixon
SB 52-Schaaf	SB 82-Chappelle-Nadal
SB 53-Schaaf	SB 83-Chappelle-Nadal
SB 54-Munzlinger	SB 84-Chappelle-Nadal
SB 55-Munzlinger	SB 86-Emery
SB 56-Munzlinger	SB 87-Emery
SB 57-Dixon	SB 88-LeVota
SB 58-Dixon	SB 89-LeVota
SB 59-Dixon	SB 90-LeVota
SB 60-Chappelle-Nadal	SB 91-Dixon
SB 61-Chappelle-Nadal	SB 92-Emery
SB 62-Chappelle-Nadal	SB 93-Emery
SB 63-Sater	SB 94-Emery
SB 64-Emery	SB 95-LeVota
SB 65-Emery	SB 96-LeVota
SB 66-Emery	SB 97-LeVota
SB 67-Cunningham	SB 98-Emery
SB 68-Romine	SB 99-LeVota
SB 69-LeVota	SB 100-LeVota
SB 70-LeVota	SB 101-LeVota
SB 71-LeVota	SB 102-LeVota
SB 72-Nasheed	SB 103-LeVota
SB 73-Holsman	SB 104-Kraus
SB 74-Holsman	SB 105-Kraus
SB 75-Holsman	SB 106-Kraus
SB 76-Sifton	SB 107-Sater
SB 77-Sifton	SB 109-Schaefer
SB 78-Sifton	SB 110-Schaefer
SB 79-Dixon	SB 111-Schaaf
SB 80-Dixon	SB 112-Dixon

SB 113-Dixon	SB 153-Wallingford
SB 114-Kraus	SB 154-Wallingford
SB 115-Kraus	SB 155-Nasheed
SB 116-Kraus	SB 156-Nasheed
SB 117-Brown	SB 157-Wallingford
SB 118-Brown	SB 158-Schaefer
SB 119-Brown	SB 159-Parson
SB 120-Walsh	SB 160-Brown
SB 121-Walsh	SB 161-Nasheed
SB 122-Walsh	SB 162-Nasheed
SB 123-Schupp	SB 163-Nasheed
SB 124-Schupp	SB 164-Sifton
SB 125-Schupp	SB 165-Nasheed
SB 126-Brown	SB 166-Nasheed
SB 127-Brown	SB 167-Schaaf
SB 128-Brown	SB 168-Munzlinger
SB 129-Brown	SB 169-Schaaf
SB 130-Walsh and Schupp	SB 170-Kraus
SB 131-Parson	SB 171-Romine
SB 132-Parson	SB 172-Romine
SB 133-Parson	SB 173-Romine
SB 134-Holsman	SB 174-Schmitt
SB 135-Holsman	SB 175-Schmitt
SB 136-Sifton	SB 176-Schmitt
SB 137-Parson	SB 177-Munzlinger
SB 138-Parson	SB 178-Munzlinger
SB 139-Parson and Kehoe	SB 179-Sater
SB 140-Parson	SB 180-Chappelle-Nadal
SB 141-Parson	SB 181-Curls
SB 142-Romine	SB 182-Curls
SB 143-Romine	SB 183-Curls
SB 144-LeVota	SB 184-LeVota
SB 145-Pearce	SB 185-LeVota
SB 146-Pearce	SB 186-Curls
SB 147-Schaaf	SB 187-Curls
SB 148-Parson	SB 188-Curls
SB 149-Parson	SB 189-Curls
SB 150-Parson	SB 190-Curls
SB 151-Sater	SB 191-Curls
SB 152-Wallingford	SB 192-Munzlinger

SB 193-LeVota	SB 233-Kehoe
SB 194-Richard and Holsman	SB 234-Kehoe
SB 195-Schmitt	SB 235-Dixon
SB 196-Schaaf	SB 236-Keaveny
SB 197-Brown	SB 237-Keaveny, et al
SB 198-Brown	SB 238-LeVota
SB 199-Dixon	SB 239-Brown
SB 200-Dixon	SB 240-Keaveny and Schaaf
SB 201-Dixon	SB 241-Keaveny
SB 202-Dixon	SB 242-Dixon
SB 203-Dixon	SB 243-Schmitt
SB 204-Parson	SB 244-Schmitt
SB 205-Parson	SB 245-Hegeman
SB 206-Parson	SB 246-Hegeman
SB 207-Pearce	SB 247-Sifton
SB 208-Sater	SB 248-Schaefer
SB 209-Sater	SB 249-Holsman
SB 210-Schaefer	SB 250-Onder
SB 211-Walsh and Dixon	SB 251-Onder
SB 212-Walsh	SB 252-Romine
SB 213-Wallingford	SB 253-Romine
SB 214-Pearce	SB 254-Kraus
SB 215-Nasheed	SB 255-Schaaf and Holsman
SB 216-Keaveny	SB 256-Sater and Nasheed
SB 217-Riddle	SB 257-Sater
SB 218-Riddle	SB 258-Wallingford
SB 219-Wallingford	SB 259-Wallingford
SB 220-Kehoe	SB 260-Schaefer
SB 221-Schatz	SB 261-Schaefer
SB 222-Schatz	SB 262-Schaefer
SB 223-Schatz	SB 263-Schaefer
SB 224-Romine and Dixon	SB 264-Schaefer
SB 225-Romine	SB 265-Schaefer
SB 226-Emery	SJR 1-Munzlinger
SB 227-Emery	SJR 2-Dixon
SB 228-Curls	SJR 3-Chappelle-Nadal
SB 229-Curls	SJR 4-Emery
SB 230-Romine	SJR 5-Kraus
SB 231-Kehoe	SJR 6-Curls
SB 232-Kehoe	SJR 7-Richard

SJR 8-Schmitt
SJR 9-Schmitt

SJR 10-Sater
SJR 11-Emery

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 7- Brown

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

✓

Journal of the Senate

FIRST REGULAR SESSION

SEVENTH DAY—TUESDAY, JANUARY 20, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Life’s most persistent and urgent question is, ‘What are you doing for others?’” (Martin Luther King, Jr.)

Gracious and loving God, we are mindful of Your servant Martin Luther King, Jr., and his efforts to serve You and others. It is also our call, we who serve in the Senate, to be persistent in serving those who elected us and beyond our districts. So help us Lord to remember Your call as “saints and sinners” to be obedient and loving in the things we are about and the bills that we pass. May we walk the path that You have chosen for us, as did your saints before us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 15, 2015 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 89, regarding Jason Rush, which was adopted.

Senator Schmitt offered Senate Resolution No. 90, regarding Ahmad Hassan, which was adopted.

Senator Schmitt offered Senate Resolution No. 91, regarding Syndi Jackson, which was adopted.

Senator Riddle offered Senate Resolution No. 92, regarding Donald R. Alverson, Fulton, which was adopted.

Senator Dixon offered Senate Resolution No. 93, regarding the National Association for the Advancement of Colored People, Springfield, which was adopted.

Senator Romine offered Senate Resolution No. 94, regarding Jesse C. Sitzes, Farmington, which was adopted.

Senator Wallingford offered Senate Resolution No. 95, regarding Justin Glen Wooten, Chaffee, which was adopted.

Senator Schaaf offered Senate Resolution No. 96, regarding Dr. Frank D. Thomas, Saint Joseph, which was adopted.

Senator Riddle offered Senate Resolution No. 97, regarding Tom Young, Auxvasse, which was adopted.

Senator Sifton offered Senate Resolution No. 98, regarding Samuel Holaway, which was adopted.

Senator Cunningham offered Senate Resolution No. 99, regarding Restoring Hope, West Plains, which was adopted.

Senator Libla offered Senate Resolution No. 100, regarding the Ninetieth Birthday of Margrettia L. Throgmorton, Bloomfield, which was adopted.

Senator Richard offered the following resolution:

SENATE RESOLUTION NO. 101

WHEREAS, the Administration Committee is required by law to establish the rates of pay each year, and

WHEREAS, such rates of pay are to be the same as those established under the policies of the Personnel Division of the Office of Administration for comparable duties after examination of the rates of pay then in effect, and

WHEREAS, the rates of pay established shall become effective in January.

NOW, THEREFORE, BE IT RESOLVED by the Committee on Administration that the number, classification and rates of pay authorized for employees of the Senate shall include one department director and seven division level directors to be compensated according to Office of Administration guidelines; and the following authorized employees at rates of pay within the ranges hereby established.

<u>NO.</u>	<u>CLASSIFICATION</u>	<u>MONTHLY SALARY RANGE</u>
5	Staff Attorney	\$3,963 - \$6,432
3	Research Analyst II	\$3,365 - \$4,909
1	Assistant Director General Research	\$3,963 - \$6,432
1	Investigator	\$3,365 - \$4,909
3.5	Research Staff Secretary	\$2,812 - \$4,618
2	Budget Research Analyst II	\$3,365 - \$4,909
2	Budget Research Analyst III	\$3,991 - \$5,801

<u>NO.</u>	<u>CLASSIFICATION</u>	<u>MONTHLY SALARY RANGE</u>
1	Assistant Director Budget Research	\$3,963 - \$6,432
1	Budget Staff Secretary	\$2,812 - \$4,618
1.5	Assistant Secretary of Senate	\$3,365 - \$5,447
1	Enrolling & Engrossing Supervisor	\$3,365 - \$5,447
3	Enrolling & Engrossing Clerk	\$2,498 - \$3,495
1	Billroom Supervisor	\$2,498 - \$3,495
1	Billroom Clerk	\$2,152 - \$2,956
7	Public Information Specialist	\$2,498 - \$3,495
1	Photographer	\$2,812 - \$3,991
1	Administrative Assistant	\$3,365 - \$5,447
1.5	Accounting Specialist	\$2,912 - \$4,094
1	Human Resources Specialist	\$3,365 - \$5,447
6.5	Administrative/Office Support	\$3,365 - \$5,447
1.5	Computer Info. Technology Spec. I	\$3,624 - \$5,333
3	Computer Info. Technology Spec. II	\$3,991 - \$5,801
2	Computer Info. Technology Spec III	\$4,812 - \$6,753
1	Assistant Director - CIS	\$4,812 - \$6,753
2	Computer Info. Technologist I	\$2,498 - \$3,495
1.5	Computer Info. Technologist II	\$3,244 - \$4,618
1	Network/Communications Specialist	\$3,991 - \$5,801
1	Composing Equipment Operator II	\$2,269 - \$3,129
1	Composing Equipment Operator III	\$2,342 - \$3,244
1	Mailroom Supervisor	\$2,498 - \$3,495
1	Mailroom Technician II	\$2,152 - \$2,956
1	Printing Services Technician II	\$2,152 - \$2,956
1	Printing Services Technician III	\$2,342 - \$3,244
2	Printing Services Technician IV	\$2,626 - \$3,624
1	Maintenance Supervisor II	\$2,812 - \$3,991
1	Carpenter II	\$2,626 - \$3,624
1	Maintenance Worker II	\$2,342 - \$3,244
0.5	Sergeant-at-Arms (Elected)	\$2,626 - \$3,624
4.5	Assistant Doorkeeper	\$1,772 - \$2,292
0.5	Reading Clerk	\$1,679 - \$2,117
0.25	Chaplain	\$1,878 - \$2,492
0.5	Security Guard	\$2,719 - \$3,839

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to establish a formula setting forth the maximum amount which may be expended by each Senator and each caucus for the employment of Administrative and Clerical Assistants. Each Senator plus the President Pro Tem and The Minority Leader on behalf of their caucus will be notified of the funds available, and shall thereafter certify to the Senate Administrator the names and addresses of Administrative and Clerical Assistants. The compensation paid to the Senators' and caucus administrative and clerical assistants shall be within the limits of the categories set forth hereinabove.

BE IT FURTHER RESOLVED that the Senate Administrator, with the approval of the Senate Administration Committee, shall have the authority to cooperate and coordinate with the Chief Clerk of the House in the selection of employees, who shall be assigned to the garage, Joint Committee Staffs and the rotunda area, and who will be paid from the Joint House and Senate Contingent Fund, within the limits of the categories set out above.

BE IT FURTHER RESOLVED that the Senate Administrator, on behalf of the Committee on Administration, has the authority to reduce, increase, combine or consolidate positions and salaries where necessary to meet changed conditions or circumstances which arise, and the

Committee on Administration may enter into contracts with consultants, provided such consultant's contract fee does not exceed the salary for the comparable position, and such consultant shall count as an employee of the Senate.

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to adjust the foregoing pay ranges to reflect implementation of the state pay plan.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 102

WHEREAS, the Missouri General Assembly has compiled a long tradition of rendering assistance to those programs aimed at developing exemplary qualities of citizenship and leadership within our youth; and

WHEREAS, the Missouri Girls State program of the American Legion Auxiliary has earned considerable recognition for its success in providing young women with a unique and valuable insight into the process of democratic government through a format of direct role-playing experience; and

WHEREAS, during June, 2015, the American Legion Auxiliary, Department of Missouri, is conducting the annual session of Missouri Girls State; and

WHEREAS, an important highlight of this event would be conducting a mock legislative session in the Senate Chamber at our State Capitol where participants could gather to gain a more realistic insight into official governmental and electoral proceedings;

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, hereby grant the adult leaders and participants of the Seventy-fourth Session of Missouri Girls State permission to use the Senate Chamber for the purpose of conducting a mock legislative session on Wednesday, June 24, 2015 from 9:00 am to 12:30 pm.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 102** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 102** was adopted.

Senator Parson offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 8

Relating to authorization for the issuance of bonds for certain state projects.

Whereas, the General Assembly is desirous of approving the construction, renovation, and maintenance of certain state projects to be funded in part by revenue bonds secured by a pledge of future appropriations to be made by the General Assembly:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby approve the following projects:

1. Replace a heating loop at the Northeast Correctional Center: \$3,118,097;
2. Replace and abate piping in the Administration Building at the Moberly Correctional Center: \$1,106,906;
3. Demolish old smoke stack in the Old Powerhouse at the Boonville Correctional Center: \$168,312;
4. Replace or repair a chiller unit in the Administration Building at Missouri Eastern Correctional Center: \$163,294;
5. Asbestos abatement in Housing Unit 3 at the Moberly Correctional Center: \$453,000;
6. Replace or repair detention doors at Fulton Reception and Diagnostic Center: \$233,143;
7. Replace or repair exterior lighting at Western Missouri Correctional Center: \$197,660;
8. Replace or repair exterior lighting at Missouri Eastern Correctional Center: \$156,660;
9. Replace or repair exterior lighting at Farmington Correctional Center: \$401,419;
10. Replace or repair perimeter detection system at Algoa Correctional Center: \$638,721;
11. Replace or repair perimeter detection system at Tipton Correctional Center: \$384,150;
12. Tuckpoint Building 14 at Farmington Correctional Center: \$246,541;
13. Replace or repair chillers and HVAC system at Tipton Correctional Center: \$1,228,712;
14. Roof Replacement at Algoa Correctional Center: \$2,544,003;
15. Replace or repair the roof and veneer of the Canteen / Cold Storage Building at Western Reception, Diagnostic and Correctional

Center: \$415,943;

16. Kitchen renovation in the Food Service / Dining Building at Boonville Correctional Center: \$2,065,044;
17. Repair EFIS at the Dale M. Thompson / Trails West State School Building: \$286,012;
18. Testing and performing preventative maintenance on the electrical system at various state schools under the Department of Elementary and Secondary Education: \$116,306;
19. Replace fire alarm and public announcement systems at Mapaville State School: \$93,744;
20. Replace windows at Cedar Ridge State School: \$41,184;
21. Renovation of the MHDB Annex Building at Missouri School for the Blind: \$809,588;
22. Roof replacement at College View State School: \$219,265;
23. Replace windows at Rolling Meadows State School: \$118,712;
24. Replace parking lot at Boonslick State School: \$217,981;
25. Replace fire alarm system at H. Kenneth Kirchner State School: \$57,984;
26. Replace fire alarm system and renovate electrical system at E. W. Thompson State School: \$61,485;
27. Replace steamlines at Missouri School for the Deaf: \$112,554;
28. Roof replacement at Missouri School for the Deaf: \$1,324,963;
29. Electrical and fire safety repairs at Greene Valley State School: \$285,226;
30. Upgrade fire alarm and electrical system at Current River State School: \$112,247;
31. Replace fire alarm system at Autumn Hill State School: \$89,286;
32. Replace roof at Boonslick State School: \$265,501;
33. Replace rooftop HVAC units at Mississippi Valley State School: \$287,701;
34. Exterior renovations and electrical improvements to the Coliseum at the Missouri State Fairgrounds: \$1,476,500;
35. Utility upgrades to the west campgrounds at the Missouri State Fairgrounds: \$1,400,000;
36. Repair or replace the fire sprinkler system in the Northwest Regional Youth Center: \$193,157;
37. Replace or repair the hot water boiler in the Core Building / Multipurpose Building at Mount Vernon Treatment Center: \$73,909;
38. Replace the kitchen floor in the H Building at Camp Avery Park Camp: \$111,067;
39. Fire safety improvements at Missouri Hills Youth Center: \$304,590;
40. Replace doors, exit stairs, and floors and repair or paint walls and ceilings in Cottage #4 - Maintenance Building at Missouri Hills Youth Center: \$561,888;
41. Replace HVAC and FTC in the Core Building at Fulton Treatment Center: \$249,400;
42. Replace or repair the emergency generator at Camp Avery Park Camp: \$252,445;
43. Repair or replace doors, stairs, floors, windows, walls, ceilings, and foundation of Cottage #7 - Spanish Lake at Missouri Hills Youth Center: \$267,583;
44. Replace roof at W. E. Sears Youth Center: \$136,059;
45. Replace HVAC systems in the School Building at Missouri Hills Youth Center: \$511,610;
46. Replace roofs at Missouri Hills Youth Center: \$560,531;
47. Replace roofs at Fulton Treatment Center: \$240,535;
48. Renovations to Cottage #9 - Twin Rivers at Missouri Hills Youth Center: \$256,056;
49. Building improvements to the Langsford House Building at Langsford House Youth Center: \$251,536;
50. Upgrade HVAC controls in the Gulhman and Hearnese Buildings at Fulton State Hospital: \$1,147,048;
51. Upgrade electrical feeders at Fulton State Hospital: \$959,719;

52. Replace boiler equipment in the Danny Staples Building at Southeast Missouri Mental Health Center: \$211,501;
 53. Replace or repair door locksets in the Main Building at St. Louis Psychiatric Rehabilitation Center: \$761,908;
 54. Replace or repair a 3-way valve for loop at the Center for Behavioral Medicine in Kansas City: \$290,967;
 55. Replace HVAC system in the Main Building at Hawthorn Children's Psychiatric Hospital: \$7,108,290;
 56. Replace door security in the Rehabilitation Center at Northwest Missouri Psychiatric Rehabilitation Center: \$94,707;
 57. Replace cooling tower for the Rehabilitation Center Building at St. Louis Psychiatric Rehabilitation Center: \$237,000;
 58. Upgrade HVAC direct digital controls in the Rehabilitation Center at Northwest Missouri Psychiatric Rehabilitation Center: \$1,543,967;
 59. Replace or repair the rooftop units, VAV's and DDC at the Kansas City Regional Office of the Department of Mental Health: \$1,074,224;
 60. Replace security gate operations at Fulton State Hospital: \$190,501;
 61. Renovate the office area in the Blair Building at Missouri Sexual Offender Treatment Center in Farmington: \$745,501;
 62. Replace shingle and flat roof of the Springfield Regional Office of the Department of Mental Health: \$512,796;
 63. Replace roofs of Group Homes 1 through 6 at Northwest Missouri Psychiatric Rehabilitation Center: \$128,335;
 64. Exterior renovations to the Harry S. Truman State Office Building: \$6,676,294;
 65. Upgrade the fire system in the Supreme Court Building: \$579,800;
 66. Replace fire alarm system in the Professional Registration Building: \$372,408;
 67. Replace fire alarm system in the Howerton State Office Building: \$928,385;
 68. Replace or repair the fire alarm system in the Jennings State Office Building: \$159,872;
 69. Replace or repair the fire alarm system in the North St. Louis County Service Center: \$152,592;
 70. Replace or repair the carbon dioxide fire suppression system in the Petroleum/Octane Laboratory at the George Washington Carver State Office Building: \$154,802;
 71. Replace HVAC rooftop units at the St. Louis State Office Building: \$524,160;
 72. Replace entrance doors to the Harry S. Truman State Office Building and the Jefferson State Office Building: \$610,950;
 73. Install boiler in the Governor's Mansion: \$233,511;
 74. Replace boilers and equipment at the Prince Hall Family Support Center: \$891,000;
 75. Replace or repair the three cell cooling tower at the Fletcher Daniels State Office Building: \$533,560;
 76. Replace the HVAC rooftop unit at the South St. Louis County Service Center: \$523,998;
 77. Replace or repair the building automation system at the Landers State Office Building: \$512,702;
 78. Replace or repair the building automation system at the Penney State Office Building: \$279,467;
 79. Expand the electrical system at the Harry S. Truman State Office Building: \$290,967;
 80. Replace or repair nurse call systems, fire alarm systems, HVAC systems, plumbing systems, kitchens, laundries, interior finishes, and exterior finishes of Missouri Veterans Commission veterans homes in Cape Girardeau, St. James, Mexico, and St. Louis: \$14,500,000;
 81. Repairs or renovations to the State Capitol Building: \$40,000,000;
 82. Repairs or renovations to the State Capitol Annex: \$35,000,000;
- Be It Further Resolved that the members of the Missouri General Assembly hereby approve the following projects at state parks and state historic sites:
1. In the Central Region, a total of \$3,208,7000 on the following projects:
 - (1) Facility renovation and repair, infrastructure upgrade, and renovation of Civilian Conservation Corps structures at Arrow Rock State Historic Site: \$1,285,000;
 - (2) Infrastructure upgrades at Bothwell Lodge State Historic Site: \$50,000;

(3) Infrastructure upgrades at Finger Lakes State Park: \$1,753,700; and

(4) Infrastructure upgrades at Van Meter State Park: \$120,000;

2. In the Lakes Region, a total of \$14,750,000 on the following projects:

(1) Facility renovation and repair, infrastructure upgrade, and renovation of Civilian Conservation Corps structures at Bennett Springs State Park: \$3,480,000;

(2) Infrastructure upgrades and renovation of Civilian Conservation Corps structures and related site structures at Lake of the Ozarks State Park: \$6,515,000;

(3) Infrastructure upgrades at Pomme de Terre State Park: \$565,000;

(4) Facility renovation and repair at Prairie State Park: \$150,000;

(5) Infrastructure upgrades and renovation of Civilian Conservation Corps structures at Roaring River State Park: \$3,350,000;

(6) Infrastructure upgrades at Stockton State Park: \$160,000; and

(7) Infrastructure upgrades at Table Rock State Park: \$530,000;

3. In the Northeast Region, a total of \$10,085,000 on the following projects:

(1) Infrastructure upgrades at Battle of Athens State Historic Site: \$70,000;

(2) Infrastructure upgrades and renovation of Civilian Conservation Corps structures at Crowder State Park: \$785,000;

(3) Infrastructure upgrades and renovation of Civilian Conservation Corps structures and related site structures at Cuivre River State Park: \$3,070,000;

(4) Infrastructure upgrades at Graham Cave State Park: \$35,000;

(5) Infrastructure upgrades and renovation of Civilian Conservation Corps structures at Mark Twain State Park: \$425,000;

(6) Facility renovation and repair at Mark Twain Birthplace State Historic Site: \$750,000;

(7) Infrastructure upgrades and renovation of Civilian Conservation Corps structures at Pershing State Park: \$545,000;

(8) Infrastructure upgrades at Thousand Hills State Park: \$3,360,000;

(9) Facility renovation and repair at Union Covered Bridge State Historic Site: \$800,000; and

(10) Infrastructure upgrades at Wakonda State Park: \$245,000;

4. In the Kansas City Region, a total of \$3,500,000 on the following projects:

(1) Infrastructure upgrades at Confederate Memorial State Historic Site: \$85,000;

(2) Infrastructure upgrades and renovation of Civilian Conservation Corps structures and related site structures at Knob Noster State Park: \$2,115,000;

(3) Infrastructure upgrades and renovation of Civilian Conservation Corps structures at Lewis and Clark State Park: \$360,000;

(4) Infrastructure upgrades at Wallace State Park: \$140,000; and

(5) Infrastructure upgrades at Weston Bend State Park: \$800,000;

5. In the Southeast Region, a total of \$7,765,000 on the following projects:

(1) Infrastructure upgrades at Fort Davidson / Battle of Pilot Knob State Historic Site: \$100,000;

(2) Infrastructure upgrades at Lake Wappapello State Park: \$195,000;

(3) Facility renovation and repair, infrastructure upgrade, and renovation of Civilian Conservation Corps structures at Montauk State Park: \$1,825,000;

(4) Facility renovation and repair at Onondaga Cave State Park: \$750,000;

(5) Facility renovation and repair, infrastructure upgrades, and renovation of Civilian Conservation Corps structures and related sites structures at Sam A. Baker State Park: \$4,490,000; and

(6) Infrastructure upgrades at Trail of Tears State Park: \$405,000; and

6. In the St. Louis Region, a total of \$9,775,000 on the following projects:

- (1) Infrastructure upgrades and renovation of Civilian Conservation Corps structures at Dr. Edmunds A. Babler Memorial State Park: \$4,605,000;
- (2) Infrastructure upgrades at Castlewood State Park: \$205,000;
- (3) Infrastructure upgrades at Hawn State Park: \$500,000;
- (4) Infrastructure upgrades and renovation of Civilian Conservation Corps structures and related site structures at Meramec State Park: \$2,460,000;
- (5) Facility renovation and repair at Scott Joplin House State Historic Site: \$100,000;
- (6) Infrastructure upgrades at St. Francois State Park: \$160,000;
- (7) Infrastructure upgrades at St. Joe State Park: \$195,000; and
- (8) Infrastructure upgrades, renovation of Civilian Conservation Corps structures and related site structures at Washington State Park: \$1,550,000; and

Be It Further Resolved that amounts not spent on a state park or state historic site project may be expended on other state park or state historic site projects in the same region; and

Be It Further Resolved that the members of the Missouri General Assembly state the intent of the General Assembly, during each fiscal year of the state during the term of such revenue bonds, to appropriate funds sufficient to pay the debt service on such revenue bonds; and

Be It Further Resolved that the members of the Missouri General Assembly authorize and direct the Office of Administration and such other state departments, offices and agencies as the Office of Administration may deem necessary or appropriate to:

- 1. Assist the staff and advisors of the various state agencies in implementing the projects and in issuing such revenue bonds for the state's share of the project costs; and
- 2. Execute and deliver documents and certificates related to such revenue bonds consistent with the terms of this concurrent resolution; and

Be It Further Resolved that revenue bonds issued due to the increase of cap amounts in section 8.420 occurring on August 28, 2014, shall only be issued to fund the projects listed in this resolution; and

Be It Further Resolved that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

Senator Parson offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 9

Relating to authorization for the issuance of bonds for certain higher education projects.

Whereas, the General Assembly is desirous of approving the construction, renovation, and maintenance of certain higher education projects to be funded in part by revenue bonds secured by a pledge of future appropriations to be made by the General Assembly:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby approve the following projects:

- 1. At Crowder College, a total of \$1,983,872 on the following projects:

- (1) Repair, replace, and upgrade plumbing, restrooms, HVAC, windows, doors, roof, electrical, and classroom/lab space in the Nevada Campus Building;
- (2) Roof repairs to the Career and Technical Center;
- (3) Roof repairs, window replacement, and exterior masonry repairs to McDonald Hall; and
- (4) Window replacement and exterior masonry repair to Newton Hall;

2. Replacement of wheelchair lift, renovation of classrooms and faculty offices, rigging replacement, smoke pocket repairs, safety repairs, roof repairs, restroom upgrades, tuckpointing, floor replacement, and IT Department renovation in Robert E. Hansen Hall at East Central College: \$1,618,115;

3. Renovation of classroom, ceiling replacements, lighting replacements, and renovations to student study areas in the Multipurpose building at East Central College: \$130,900;
4. Repairs to the roof of the Training Center at East Central College: \$100,000;
5. New lighting, ceiling tiles, carpeting, HVAC, and acoustical panels as well as additional classroom space and upgrades to current study rooms and offices and remodeling restrooms in the Library Building at Jefferson College: \$1,722,144;
6. Replace windows in all buildings on the Hillsboro Campus of Jefferson College: \$400,000;
7. At Metropolitan Community College, a total of \$415,000 for the following fire safety projects:
 - (1) Upgrade/replace existing fire alarm panel at the Business and Technology Campus;
 - (2) Install surge protection on all fire alarm panels and auxiliary power supplies at the Business and Technology Campus, Maple Woods Campus, Penn Valley Campus, and Longview Campus; and
 - (3) Install new fire alarm system at the Facility Services Building on the Maple Woods Campus;
8. At Metropolitan Community College, a total of \$2,647,000 for the following HVAC projects:
 - (1) Replace dual-cell cooling tower at the Health Science Institute on the Penn Valley Campus;
 - (2) Replace all chillers on the Maple Woods Campus;
 - (3) Replace 7 roof-top units at the Northland Human Services Center on the Maple Woods Campus;
 - (4) Move 1080 ton chiller from the Penn Valley Campus to the Longview Campus and enlarge loop piping at the Longview Campus; and
 - (5) Replace 1080 ton chiller with 660 ton chiller at the Penn Valley Campus;
9. Full milling and full-depth patching of parking lots at all campuses of Metropolitan Community College: \$421,094;
10. Replace roof of the Recreation Center at the Longview Campus of Metropolitan Community College: \$519,000;
11. In the Arts and Science Building at Mineral Area College, a total of \$1,132,981 for the following projects:
 - (1) Repair or replacement of interior walls and floors, exterior walks and steps, flooring, fire alarm panels, backup electrical generation system, and HVAC system in theater area;
 - (2) Update computer labs with new furniture and equipment; and
 - (3) Remodel theater lobby and stage floor;
12. Replace lighting system and update restrooms in the Robert E. Sechrest Field House at Mineral Area College: \$155,000;
13. Replace siding on the Public Safety Center/Law Enforcement Academy: \$100,000;
14. Interior remodel, new kitchen, and replacement of HVAC units in the North College Center at Mineral Area College: \$250,000
15. Replace the roof of the Fire Academy Training Center at Mineral Area College: \$25,000;
16. Replace the roof of the Continuing Education Building at Mineral Area College: \$20,000;
17. Replace the roof and insulation of the Maintenance and General Services Building at Mineral Area College: \$200,000;
18. Plumbing upgrades, window replacements, restroom renovations, HVAC system upgrades, elevator replacement, conference room renovations, commons renovations, hallway renovations, and roof repairs at Moberly Area Community College: \$2,068,081;
19. For Geyer Hall at North Central Missouri College, a total of \$1,518,406 for the following projects:
 - (1) Replacement of electrical, plumbing, and HVAC systems;
 - (2) Tuckpointing, replacement of lighting, and replacement of windows;
 - (3) Installation of a fire and storm alarm system; and
 - (4) Installation of a new card access system and fiber optics;
20. Replacement of the roof of Lincoln Hall at Ozarks Technical Community College: \$1,000,000;
21. Replacement of HVAC unit in multiple buildings at Ozarks Technical Community College: \$1,000,000;
22. Repair and replacement of parking lots at the Springfield Campus of Ozarks Technical Community College: \$500,000;

23. Repairs to the roofs of Graff Hall, Norman K. Meyers Building, Information Commons East, and the Industry and Transportation Technology Center at Ozarks Technical Community College: \$500,000;
24. Brick and exterior insulation and finishing system repairs to Graff Hall, Norman K. Meyers Building, Information Commons East, and the Industry and Transportation Technology Center at Ozarks Technical Community College: \$312,940;
25. Parking lot repairs at St. Charles Community College: \$1,127,612;
26. Replacement of HVAC equipment for the Campus Services Building at St. Charles Community College: \$800,000;
27. Replacement of kitchen equipment in the Student Center at St. Charles Community College: \$325,000;
28. Boiler replacement in the Campus Services Building at St. Charles Community College: \$100,000;
29. Equipping exterior doors with accessibility buttons at St. Charles Community College: \$30,000;
30. Updating science labs at the Forest Park, Florissant Valley, and Meramec Campuses of St. Louis Community College: \$5,245,143;
31. Install new elevator and windows, stabilize building foundation, repair exterior steps, modify HVAC system, and modernize interior decor in the William C. Hopkins Student Services Center at State Fair Community College: \$699,724;
32. Replace roof and HVAC units, update restrooms, and repair exterior of the Potte-Ewing Agriculture Building at State Fair Community College: \$445,000;
33. Window replacement, HVAC modifications, and interior hallway repairs in Charles E. Yeater Learning Center at State Fair Community College: \$275,000;
34. Replace HVAC system and repair exterior stucco on the Daum Museum of Contemporary Art at State Fair Community College: \$100,000;
35. Roof repairs and flooring replacement in the Melita Day Child Development Center at State Fair Community College: \$75,000;
36. Foundation and floor repairs, restroom renovations, and HVAC system modifications in the Stauffacher Center for the Fine Arts at State Fair Community College: \$250,000;
37. Restroom and ventilation unit renovations in Marvin R. Fielding Technical Center at State Fair Community College: \$150,000;
38. Upgrade electrical systems, HVAC systems, and elevators, as well as repair roofs and exterior paints on the Westover Classroom Building, Crisp Technology Center, Tinnin Fine Arts Center, Education Building, and the Academic Resource Commons at Three Rivers Community College: \$1,085,868;
39. Improve lighting, repair parking lots and sidewalks, and replace outer doors and key systems at Three Rivers Community College: \$815,000;
40. Replace central air compressor and repair foundation of the Vehicle and Power Center at State Technical College of Missouri: \$140,000;
41. Repair foundation of the Nilges Technology Center at State Technical College of Missouri: \$75,000;
42. Replace HVAC system in the Nilges Technology Center and replace compressors in the Automotive Technology Building at State Technical College of Missouri: \$200,000;
43. Replace floor coverings, lighting, windows, and doors as well as renovate bathrooms, paint interior walls, and upgrade the elevator in the Nilges Technology Center at State Technical College of Missouri: \$250,000;
44. Repair and seal parking lots on the Linn Campus of State Technical College of Missouri: \$300,000;
45. Restore exterior finish, replace damaged floor coverings, and repair courtyard concrete of the Information Technology Center at State Technical College of Missouri: \$106,984;
46. Renovation of laboratories, classrooms, and exterior of the W. C. Morris Building at the University of Central Missouri: \$12,262,520;
47. Upgrade electrical, plumbing, and fire alarm systems as well as replace mechanical equipment, address ADA requirements, replace windows, and expand clinic space in the Grauel Building at Southeast Missouri State University: \$4,000,000;
48. For Crisp Hall at Southeast Missouri State University, a total of \$2,000,000 for the following projects:
 - (1) Replace mechanical, electrical, and plumbing systems;
 - (2) Replace interior finishes, roof, and windows;

(3) Remove hazardous materials; and

(4) Improve ADA compliance;

49. For Brandt Hall at Southeast Missouri State University, a total of \$3,000,000 for the following projects:

(1) Replace fire alarm, mechanical, electrical, and plumbing systems;

(2) Replace interior finishes, roof, windows, and storefront systems;

(3) Add fire suppression system; and

(4) Make renovations to improve ADA compliance;

50. Campus wide at Southeast Missouri State University, a total of \$1,082,458 for the following projects:

(1) Exterior facade improvements

(2) Replace mechanical, electrical, plumbing, and fire alarm systems;

(3) Address ADA requirements; and

(4) Replace windows and roofs and repair utility tunnel system;

51. Repair or renovate interior walls, flooring, lighting, ceiling, HVAC, fire suppression system, furniture, fixtures, and equipment in Ellis Hall at Missouri State University: \$7,581,818;

52. Upgrade electrical system, fire suppression system, HVAC, exterior masonry, parking lots, furniture, and equipment in the Post Office Building at Missouri State University: \$1,547,890;

53. Install fire alarm panels and sprinkler systems in Garnett Library, Putnam Student Center, and Looney Hall at Missouri State University: \$220,000;

54. Repair or renovate interior walls, doors, lighting, restrooms, HVAC, electrical equipment, plumbing, and fire suppression system in Hill Hall at Missouri State University: \$9,575,669;

55. Replace roofing systems and repair exterior masonry veneers, foundation, and spalling brick at Lincoln University: \$1,645,253;

56. Replace or repair mechanical, plumbing, HVAC, and electrical systems in multiple buildings as well as repair or renovate interior finishes in Young Hall and 601 Jackson at Lincoln University: \$2,393,887;

57. For Baldwin Hall at Truman State University, a total of \$9,209,822 for the following projects:

(1) Replacement of HVAC and fire alarm systems;

(2) Installation of new building control systems and fire sprinkler system;

(3) Address ADA and safety issues in auditorium and bathrooms;

(4) Replace lighting in offices, classrooms, and hallways; and

(5) Replace ceilings and carpet as needed;

58. For Northwest Missouri State University, a total of \$6,884,126 for the following projects:

(1) Electrical and HVAC system repairs in Everett W. Brown Hall, Martindale Hall, Ron Houston Center for the Performing Arts, B. D. Owens Library, and John T. Rickman Electronic Campus Support Center; and

(2) Replace windows in the Administration Building, Colden Hall, Everett W. Brown Hall, and the Gaunt House;

59. Laboratory renovations in Reynolds Hall and Missouri Southern State University: \$5,228,422;

60. Repair or replace HVAC systems in Popplewell, Wilson, and Potter Halls at Missouri Western State University: \$2,150,000;

61. Replace intra-building fiber optic cables and access switches at Missouri Western State University: \$950,000;

62. Entryway repairs, window replacements, bathroom renovations, painting, ceiling repair and replacement, and flooring repair and replacement in Popplewell Hall, Hearnese Center, Eder Hall, Wilson Hall, Looney Complex, Potter Hall, and Murphy Hall at Missouri Western State University: \$1,710,951;

63. Hazmat remediation and upgrades to windows, HVAC, electrical system, plumbing, and finishes in the Vashon Center at Harris-Stowe State University: \$1,179,580;

64. Maintenance and repairs to the Henry Givens Administration building, AT&T Library, and the Emerson Performing Arts Center at Harris-Stowe State University: \$1,025,000;

65. Renovation of Lafferre Hall at the University of Missouri - Columbia: \$38,500,000;

66. Replace the elevator and cooling system and install a fire suppression system and additional stairwell in Stewart Hall at the University of Missouri - Columbia: \$12,530,236;

67. Renovate laboratories in the Spencer Chemistry and Biological Sciences Building at the University of Missouri - Kansas City: \$18,285,638;

68. Renovate laboratories in Schrenk Hall West at Missouri University of Science and Technology: \$12,076,451;

69. Renovation of Benton Hall at the University of Missouri - St. Louis: \$13,625,415; and

Be It Further Resolved that the members of the Missouri General Assembly state the intent of the General Assembly, during each fiscal year of the state during the term of such revenue bonds, to appropriate funds sufficient to pay the debt service on such revenue bonds; and

Be It Further Resolved that the members of the Missouri General Assembly authorize and direct the Office of Administration and such other state departments, offices and agencies as the Office of Administration may deem necessary or appropriate to:

1. Assist the staff and advisors of the various state agencies in implementing the projects and in issuing such revenue bonds for the state's share of the project costs; and

2. Execute and deliver documents and certificates related to such revenue bonds consistent with the terms of this concurrent resolution; and

Be It Further Resolved that revenue bonds issued due to the increase of cap amounts in section 8.665 occurring on August 28, 2014, shall only be issued to fund the projects listed in this resolution; and

Be It Further Resolved that the funding of these state projects may generate private financial support to provide opportunities for additional construction at higher education institutions; and

Be It Further Resolved that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 266—By Schaefer.

An Act to amend chapter 71, RSMo, by adding thereto one new section relating to the authority of municipalities to offer certain services.

SB 267—By Schaefer.

An Act to repeal section 304.351, RSMo, and to enact in lieu thereof one new section relating to fines for failing to yield the right-of-way, with penalty provisions.

SB 268—By Pearce.

An Act to repeal section 173.670, RSMo, and to enact in lieu thereof two new sections relating to the science, technology, engineering and mathematics fund.

SB 269—By Nasheed.

An Act to amend chapter 211, RSMo, by adding thereto one new section relating to the use of restraints on children in courts.

SB 270—By Nasheed.

An Act to repeal sections 169.291 and 169.450, RSMo, and to enact in lieu thereof two new sections

relating to members of the boards of trustees of public school retirement systems.

SB 271—By Silvey.

An Act to repeal section 170.011, RSMo, and to enact in lieu thereof two new sections relating to civics education.

SB 272—By Riddle, Schaefer and Kehoe.

An Act to repeal section 304.190, RSMo, and to enact in lieu thereof one new section relating to municipal commercial zones.

SB 273—By Riddle.

An Act to repeal section 170.011, RSMo, and to enact in lieu thereof two new sections relating to civics education.

SB 274—By Schupp.

An Act to repeal section 304.820, RSMo, and to enact in lieu thereof one new section relating to text messaging while operating motor vehicles.

SB 275—By Schupp.

An Act to repeal section 307.178, RSMo, and to enact in lieu thereof one new section relating to safety belts, with a penalty provision.

SB 276—By Walsh.

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of the great American smokeout day.

SB 277—By Walsh.

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of epilepsy awareness month.

SB 278—By Schatz.

An Act to repeal sections 301.010, 301.067, and 301.227, RSMo, and to enact in lieu thereof three new sections relating to the registration of motor vehicles.

SB 279—By Brown.

An Act to repeal section 303.412, RSMo, and to enact in lieu thereof one new section relating to reporting motor vehicle insurance policy cancellation, with existing penalty provisions.

SB 280—By Keaveny.

An Act to repeal section 565.020, RSMo, section 556.061 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 556.061 as enacted by house bill no. 215 merged with house bill no. 505, ninety-seventh general assembly, first regular session, and to enact in lieu thereof four new sections relating to first degree murder, with penalty provisions, an emergency clause for certain sections, and an effective date for a certain section.

SB 281—By Silvey.

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to MO

HealthNet reimbursement for behavior assessment and intervention, with an emergency clause.

SB 282—By Parson.

An Act to repeal sections 379.118 and 379.120, RSMo, and to enact in lieu thereof two new sections relating to insurance notice proof of mailing.

SB 283—By Kehoe.

An Act to amend chapter 70, RSMo, by adding thereto one new section relating to the Missouri local government employees' retirement system.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 16, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Kathleen Olsen Steele Danner, 2918 Valley View Terrace, Jefferson City, Cole County, Missouri 65109, as Director of the Division of Professional Registration, for a term ending at the pleasure of the Governor, and until her successor is duly appointed and qualified.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 15, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Damon Porter as the Director of the Division of Employment Security, submitted to you on January 7, 2015. Lines 1 and 2 should be amended to read:

Damon S. Porter, 5610 Wyandotte Street, Kansas City, Jackson County, Missouri 64113, as Director of the Division of Employment Security, for a term ending at the

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 15, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Brian Jamison as a member of the Missouri Gaming Commission, submitted

to you on January 7, 2015. Line 1 should be amended to read:

Brian Jamison, Republican, 5208 Thornbrook Parkway, Columbia, Boone County,

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 15, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on January 7, 2015, for your advice and consent.

Kelley F. Farrell, 53 Berkshire Drive, Saint Louis, Saint Louis County, Missouri 63117, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, for a term ending November 11, 2015, and until her successor is duly appointed and qualified; vice, Hugh Scott III, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey moved that the withdrawal letter on Kelley F. Farrell, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District be returned to the Governor per his request, which motion prevailed.

Senator Pearce assumed the Chair.

REFERRALS

President Pro Tem Dempsey referred **SCR 7** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

COMMUNICATIONS

Senator Keaveny submitted the following:

January 15, 2015

Adriane Crouse - Secretary of the Senate
State Capitol, Room 325
Jefferson City, Missouri 65101

Dear Adriane:

Please let this correspondence serve as my resignation from the Joint Committee on Child Abuse and Neglect. Pursuant to the authority provided me under section 21.771 RSMo, I hereby appoint Senator Jill Schupp to fill the vacancy on the committee left by my resignation.

Sincerely,
/s/ Joseph P. Keaveny
Joseph P. Keavey

Also,

January 15, 2015

Adriane Crouse
State Capitol, Room 325
Jefferson City, Missouri 65101

Dear Adriane:

Under the authority provided me by Senate Concurrent Resolution 36 from the 2014 legislative session, I hereby appoint Senator Paul LeVota to the Multiple Sclerosis Task Force.

Sincerely,
/s/ Joseph P. Keaveny
Joseph P. Keaveny

President Pro Tem Dempsey submitted the following:

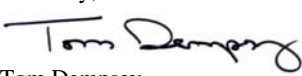
January 20, 2015

Ms. Adriane Crouse
Secretary of Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Please be advised that I am appointing Senator David Pearce to the Midwest Interstate Passenger Rail Commission.

Please feel free to contact me should you have any questions.

Sincerely,

Tom Dempsey

INTRODUCTIONS OF GUESTS

Senator Schupp introduced to the Senate, Bre Bambrick, St. Louis.

Senator Chappelle-Nadal introduced to the Senate, Don Logue, Ballwin.

Senator Cunningham introduced to the Senate, former State Representative Maynard Wallace, Thornfield.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

EIGHTH DAY—WEDNESDAY, JANUARY 21, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 51-Onder

SB 52-Schaaf

SB 53-Schaaf	SB 98-Emery
SB 54-Munzlinger	SB 99-LeVota
SB 55-Munzlinger	SB 100-LeVota
SB 56-Munzlinger	SB 101-LeVota
SB 57-Dixon	SB 102-LeVota
SB 58-Dixon	SB 103-LeVota
SB 59-Dixon	SB 104-Kraus
SB 60-Chappelle-Nadal	SB 105-Kraus
SB 61-Chappelle-Nadal	SB 106-Kraus
SB 62-Chappelle-Nadal	SB 107-Sater
SB 63-Sater	SB 109-Schaefer
SB 64-Emery	SB 110-Schaefer
SB 65-Emery	SB 111-Schaaf
SB 66-Emery	SB 112-Dixon
SB 67-Cunningham	SB 113-Dixon
SB 68-Romine	SB 114-Kraus
SB 69-LeVota	SB 115-Kraus
SB 70-LeVota	SB 116-Kraus
SB 71-LeVota	SB 117-Brown
SB 72-Nasheed	SB 118-Brown
SB 73-Holsman	SB 119-Brown
SB 74-Holsman	SB 120-Walsh
SB 75-Holsman	SB 121-Walsh
SB 76-Sifton	SB 122-Walsh
SB 77-Sifton	SB 123-Schupp
SB 78-Sifton	SB 124-Schupp
SB 79-Dixon	SB 125-Schupp
SB 80-Dixon	SB 126-Brown
SB 81-Dixon	SB 127-Brown
SB 82-Chappelle-Nadal	SB 128-Brown
SB 83-Chappelle-Nadal	SB 129-Brown
SB 84-Chappelle-Nadal	SB 130-Walsh and Schupp
SB 86-Emery	SB 131-Parson
SB 87-Emery	SB 132-Parson
SB 88-LeVota	SB 133-Parson
SB 89-LeVota	SB 134-Holsman
SB 90-LeVota	SB 135-Holsman
SB 91-Dixon	SB 136-Sifton
SB 92-Emery	SB 137-Parson
SB 93-Emery	SB 138-Parson
SB 94-Emery	SB 139-Parson and Kehoe
SB 95-LeVota	SB 140-Parson
SB 96-LeVota	SB 141-Parson
SB 97-LeVota	SB 142-Romine

SB 143-Romine	SB 187-Curls
SB 144-LeVota	SB 188-Curls
SB 145-Pearce	SB 189-Curls
SB 146-Pearce	SB 190-Curls
SB 147-Schaaf	SB 191-Curls
SB 148-Parson	SB 192-Munzlinger
SB 149-Parson	SB 193-LeVota
SB 150-Parson	SB 194-Richard and Holsman
SB 151-Sater	SB 195-Schmitt
SB 152-Wallingford	SB 196-Schaaf
SB 153-Wallingford	SB 197-Brown
SB 154-Wallingford	SB 198-Brown
SB 155-Nasheed	SB 199-Dixon
SB 156-Nasheed	SB 200-Dixon
SB 157-Wallingford	SB 201-Dixon
SB 158-Schaefer	SB 202-Dixon
SB 159-Parson	SB 203-Dixon
SB 160-Brown	SB 204-Parson
SB 161-Nasheed	SB 205-Parson
SB 162-Nasheed	SB 206-Parson
SB 163-Nasheed	SB 207-Pearce
SB 164-Sifton	SB 208-Sater
SB 165-Nasheed	SB 209-Sater
SB 166-Nasheed	SB 210-Schaefer
SB 167-Schaaf	SB 211-Walsh and Dixon
SB 168-Munzlinger	SB 212-Walsh
SB 169-Schaaf	SB 213-Wallingford
SB 170-Kraus	SB 214-Pearce
SB 171-Romine	SB 215-Nasheed
SB 172-Romine	SB 216-Keaveny
SB 173-Romine	SB 217-Riddle
SB 174-Schmitt	SB 218-Riddle
SB 175-Schmitt	SB 219-Wallingford
SB 176-Schmitt	SB 220-Kehoe
SB 177-Munzlinger	SB 221-Schatz
SB 178-Munzlinger	SB 222-Schatz
SB 179-Sater	SB 223-Schatz
SB 180-Chappelle-Nadal	SB 224-Romine and Dixon
SB 181-Curls	SB 225-Romine
SB 182-Curls	SB 226-Emery
SB 183-Curls	SB 227-Emery
SB 184-LeVota	SB 228-Curls
SB 185-LeVota	SB 229-Curls
SB 186-Curls	SB 230-Romine

SB 231-Kehoe	SB 263-Schaefer
SB 232-Kehoe	SB 264-Schaefer
SB 233-Kehoe	SB 265-Schaefer
SB 234-Kehoe	SB 266-Schaefer
SB 235-Dixon	SB 267-Schaefer
SB 236-Keaveny	SB 268-Pearce
SB 237-Keaveny, et al	SB 269-Nasheed
SB 238-LeVota	SB 270-Nasheed
SB 239-Brown	SB 271-Silvey
SB 240-Keaveny and Schaaf	SB 272-Riddle, et al
SB 241-Keaveny	SB 273-Riddle
SB 242-Dixon	SB 274-Schupp
SB 243-Schmitt	SB 275-Schupp
SB 244-Schmitt	SB 276-Walsh
SB 245-Hegeman	SB 277-Walsh
SB 246-Hegeman	SB 278-Schatz
SB 247-Sifton	SB 279-Brown
SB 248-Schaefer	SB 280-Keaveny
SB 249-Holsman	SB 281-Silvey
SB 250-Onder	SB 282-Parson
SB 251-Onder	SB 283-Kehoe
SB 252-Romine	SJR 1-Munzlinger
SB 253-Romine	SJR 2-Dixon
SB 254-Kraus	SJR 3-Chappelle-Nadal
SB 255-Schaaf and Holsman	SJR 4-Emery
SB 256-Sater and Nasheed	SJR 5-Kraus
SB 257-Sater	SJR 6-Curls
SB 258-Wallingford	SJR 7-Richard and Wallingford
SB 259-Wallingford	SJR 8-Schmitt
SB 260-Schaefer	SJR 9-Schmitt
SB 261-Schaefer	SJR 10-Sater
SB 262-Schaefer	SJR 11-Emery

INFORMAL CALENDAR

RESOLUTIONS

SR 101-Richard

To be Referred

SCR 8-Parson

SCR 9-Parson

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

✓

Journal of the Senate

FIRST REGULAR SESSION

EIGHTH DAY—WEDNESDAY, JANUARY 21, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

Blessed Lord God, we will hear many words before this day is through and that can be helpful to know what others are thinking, so give to us the power of discernment to know what is helpful and what is not. But, keep us mindful that the holy scriptures are written for the nourishment of Your people, for us to read and hear.

Grant us to digest Your word that they add clarity and direction to our thinking and decisions. Grant that Your word provides comfort by Your promises and may we hold fast to the hope we have in You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 103, regarding the Columbia Art League, which was adopted.

Senator Libla offered Senate Resolution No. 104, regarding the SoutheastHEALTH Center of Stoddard County, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 105, regarding the Stoddard County Association for Retarded Citizens (ARC), Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 106, regarding Anita Joyner, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 107, regarding Bootheel Recycling, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 108, regarding the Corner Cottage, Dexter, which was adopted.

Senator Riddle offered Senate Resolution No. 109, regarding Pat Enochs, LPN, Monroe City, which was adopted.

Senator Parson offered Senate Resolution No. 110, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gary Cunningham, Conway, which was adopted.

Senator Parson offered Senate Resolution No. 111, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Kenny Harms, Ionia, which was adopted.

Senator Brown offered Senate Resolution No. 112, regarding Bill O'Neal, Waynesville, which was adopted.

Senator Schupp offered Senate Resolution No. 113, regarding the Covenant House, St. Louis, which was adopted.

CONCURRENT RESOLUTIONS

Senator Munzlinger offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 10

Whereas, Congress enacted, and the President signed into law, the Healthy, Hunger-Free Kids Act of 2010; and

Whereas, under the new nutrition standards implemented in 2012, school meal programs have experienced increased costs and administrative burdens, while struggling with student acceptance of new menu items and increased plate waste; and

Whereas, as a result of the new nutrition standards, one million fewer students are choosing school meals each day; and

Whereas, approximately forty-seven percent of school meal programs report that overall revenue declined in the 2012-2013 school year; and

Whereas, school districts need relief from increasing operational costs associated with the federal mandates; and

Whereas, Missourians would benefit from a more common sense approach to school nutrition:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, hereby urge the Missouri congressional delegation to make changes in the Child Nutrition Act Reauthorization in 2015 to promote a healthy school environment for children, provide reasonable flexibility in the operation of school meal programs, maximize program efficiency, ensure overall sustainability of child nutrition programs, and encourage local school districts and school nutrition programs to work with local farm-to-table organizations where appropriate; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri congressional delegation.

RESOLUTIONS

Senator Richard moved that **SR 101** be taken up for adoption, which motion prevailed.

On motion of Senator Richard, **SR 101** was adopted.

SECOND READING OF CONCURRENT RESOLUTIONS

The following concurrent resolutions were read the 2nd time and referred to the Committee indicated:

SCR 8—Rules, Joint Rules, Resolutions and Ethics.

SCR 9—Rules, Joint Rules, Resolutions and Ethics.

REFERRALS

President Pro Tem Dempsey referred the Gubernatorial Appointment and addendums appearing on pages 134 and 135 of the Senate Journal for Tuesday, January 20, 2015 to the Committee on Gubernatorial Appointments.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HCR 4 & 3**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NOS. 4 & 3

Relating to disapproving the recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, Article XIII, Section 3 of the Missouri Constitution charges the Missouri Citizens' Commission on Compensation for Elected Officials with setting the amounts of compensation paid to statewide elected officials, legislators, and judges; and

WHEREAS, the Constitution provides the Commission with a four-month window prior to its constitutional deadline for making salary recommendations to hold public hearings around the state to gather testimony related to salaries for affected state officials and to carefully consider whether pay increases are warranted; and

WHEREAS, the Missouri Citizens' Commission on Compensation for Elected Officials has recommended that the compensation for statewide elected officials be increased by eight or ten percent over fiscal years 2016 and 2017, representing salary increases between \$9,000 to over \$22,000 per year; and

WHEREAS, the Missouri Citizens' Commission on Compensation for Elected Officials has also recommended that the compensation for members of the General Assembly be increased by eleven percent over fiscal years 2016 and 2017, representing a salary increase of \$4,000 per year; and

WHEREAS, the Missouri Citizens' Commission on Compensation for Elected Officials recommended that daily expense compensation be raised by \$26 a day and that mileage reimbursement be raised by \$0.19 per mile; and

WHEREAS, the Missouri Citizens' Commission on Compensation for Elected Officials recommended no increases in compensation for judges over fiscal years 2016 and 2017; and

WHEREAS, the state has many other priorities for appropriating money in the budget that are far more important than the salary increases recommended by the Commission; and

WHEREAS, the Commission's recommendations shall take effect unless disapproved by the General Assembly through a concurrent resolution process passed by two-thirds majorities in each legislative chamber before February 1, 2015:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby disapprove the recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials contained in its report of November 2014; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 284—By Munzlinger.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to a tax incentive for manufacturing investment.

SB 285—By Kehoe.

An Act to repeal sections 260.500 and 644.016, RSMo, and to enact in lieu thereof two new sections relating to the definition of waters of the state.

SB 286—By Schaaf.

An Act to repeal section 37.110, RSMo, and to enact in lieu thereof one new section relating to the consolidation of state-owned data centers to the state data center.

SB 287—By Silvey.

An Act to repeal sections 208.151 and 208.991, RSMo, and to enact in lieu thereof two new sections relating to MO HealthNet benefits for veterans and their families.

SB 288—By Schatz.

An Act to repeal sections 287.957 and 287.975, RSMo, and to enact in lieu thereof two new sections relating to workers' compensation premium rates.

SB 289—By Schatz.

An Act to repeal sections 49.060 and 105.030, RSMo, and to enact in lieu thereof two new sections relating to public office vacancies, with an emergency clause.

SB 290—By Schaefer.

An Act to repeal section 162.720, RSMo, and section 163.031 as enacted by house bill no. 1689, ninety-seventh general assembly, second regular session, and to enact in lieu thereof two new sections relating to gifted education, with a delayed effective date for a certain section.

SB 291—By Cunningham.

An Act to repeal section 700.370, section 301.640 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 301.640 as enacted by senate bill no. 82, ninety-fourth general assembly, first regular session, section 306.420 as enacted by senate bill no. 491, ninety-seventh

general assembly, second regular session, and section 306.420 as enacted by house bill no. 2008 merged with senate bill no. 895, ninety-first general assembly, second regular session, RSMo, and to enact in lieu thereof four new sections relating to electronic lien release, with existing penalty provisions.

On motion of Senator Richard, the Senate recessed until 6:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kinder.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following escort committee pursuant to **HCR 1**. Representatives: Solon, Conway (10), Alferman, Jones, Rowden, May, McNeil, Norr, Walton Gray and Newman.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

PROCLAMATION

WHEREAS, Article IV, Section 24 of the Missouri Constitution was amended by the voters on November 4, 2014; and

WHEREAS, Article IV, Section 24 requires the Governor to submit to the General Assembly a budget for the ensuing appropriation period containing the estimated available revenues of the state and a complete and itemized plan of proposed expenditures of the state and all its agencies; and

WHEREAS, consistent with Article IV, Section 24, my proposed fiscal year 2016 budget submitted on this date does not use any projection of new revenues to be created from proposed legislation that has not been passed into law by the General Assembly; and

WHEREAS, there are fiscally responsible legislative measures that, if passed by the General Assembly, would generate additional revenue for high priority investments in education, health care, and economic development.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, do hereby submit the following proposal for action by the General Assembly during the 2015 legislative session.

That the General Assembly pass three fiscally responsible legislative measures that combined would generate an additional \$178 million in general revenue. Further, I call on the General Assembly to add this additional general revenue to the fiscal year 2016 budget as follows:

Education

\$79 million for the foundation formula, bringing my total proposed funding increase for fiscal year 2016 for K-12 classrooms to \$150 million.

\$13 million for performance and equity funding for higher education, bringing my total proposed increase for higher education in the fiscal year 2016 budget to \$25 million.

\$10 million for the University of Missouri/Springfield Medical Partnership, \$1.3 million for the Missouri State University Occupational Therapy Program, and \$500,000 for Lincoln University land grant match.

Health Care

\$21.6 million to provide a rate increase for long-term care and community service providers in the Medicaid Program. These providers serve Missouri seniors and people with disabilities through home and community based programs and services provided in long term care facilities.

\$17.8 million to provide dental benefits to existing adult Medicaid clients.

\$2.2 million for grants to Federally Qualified Health Centers to pay for services, equipment and infrastructure necessary to provide care to low-income Missourians.

Economic Development

\$12.8 million for the Missouri Technology Corporation, which promotes entrepreneurship and fosters growth of new and emerging high-tech companies, bringing my total proposed funding for the Missouri Technology Corporation in the fiscal year 2016 budget to \$18.4

million.

\$10.8 million for the Missouri Works Jobs Training Program, which provides direct assistance to Missouri businesses for training and retraining of new and existing employees, bringing my total proposed funding for this program in fiscal year 2016 to \$14 million.

\$9 million to enhance cyber security through an innovative partnership between government, businesses and universities, including Missouri state government networks, systems and data.

Further, I specifically request the General Assembly pass the following three legislative proposals that would provide additional general revenue for the fiscal year 2016 budget to be invested in a manner set forth above:

Reform and expand Medicaid to provide access to health care for 300,000 working Missourians, bring our tax dollars back to Missouri, and yield \$117 million in general revenue for fiscal year 2016.

Pass tax amnesty, a provision that has previously passed both chambers of the legislature, to provide a one-time opportunity for delinquent taxpayers to pay outstanding taxes and provide an additional \$51 million in general revenue in fiscal year 2016.

Authorize collections reforms that will streamline administrative functions and increase collections of already owed taxes and generate an additional \$10 million in general revenue for fiscal year 2016.

Seal

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 21st day of January, 2015

/s/ Jeremiah W. (Jay) Nixon
Jeremiah W. (Jay) Nixon
Governor

ATTEST:

/s/ Jason Kander
Jason Kander
Secretary of State

On motion of Senator Richard, the Senate repaired to the House of Representatives to receive the State of the State Address from His Excellency, Governor Jeremiah W. “Jay” Nixon.

JOINT SESSION

The Joint Session was called to order by President Kinder.

The Color Guard from the Missouri State Highway Patrol, Troop F, presented the colors.

The Pledge of Allegiance to the Flag was recited.

On roll call the following Senators were present:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On roll call the following Representatives were present:

Present—152

Adams	Alferman	Anders	Andrews	Arthur	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black	Bondon	Brattin	Brown 57
Brown 94	Burlison	Burns	Butler	Carpenter	Chipman	Cierpiot	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Cross	Curtman	Davis	Dogan
Dohrman	Dugger	Dunn	Eggleston	Ellington	Engler	English	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker	Franklin	Frederick	Gannon	Gardner
Gosen	Green	Haahr	Haefner	Hansen	Harris	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton	Hubbard	Hubrecht	Hummel
Hurst	Johnson	Jones	Justus	Keeney	Kelley	Kendrick	Kidd
King	Kirkton	Koenig	Kolkmeier	Korman	Kratky	LaFaver	Lair
Lant	Lauer	Lavender	Leara	Lichtenegger	Love	Lynch	Marshall
Mathews	May	McCaherty	McCann Beatty	McCreery	McDaniel	McDonald	McGaugh
McManus	McNeil	Meredith	Messenger	Miller	Mims	Mitten	Montecillo
Morgan	Morris	Muntzel	Neely	Newman	Nichols	Norr	Otto
Pace	Parkinson	Pfautsch	Phillips	Pierson	Pietzman	Pike	Pogue
Redmon	Reiboldt	Remole	Rhoads	Richardson	Roden	Roeber	Rone
Ross	Rowden	Rowland	Runions	Ruth	Shaul	Shull	Shumake
Smith	Solon	Sommer	Spencer	Swan	Taylor	Vescovo	Walker
Walton Gray	Webber	White	Wiemann	Wilson	Wood	Zerr	Mr. Speaker

Absent and Absent with Leave—Representatives —10

Allen	Anderson	Colona	Crawford	Curtis	Flanigan	Moon	Peters
Rehder	Rizzo						

Vacancies—1

The Joint Committee appointed to wait upon His Excellency, Governor Jay Nixon, escorted the Governor to the dais where he delivered the State of the State Address to the Joint Assembly:

2015 State of the State

Governor Jay Nixon

Thank you, Lt. Gov. Kinder, Speaker Diehl, members of the General Assembly, judges of the Missouri Supreme Court, state officials, members of my cabinet, and honored guests.

I thank God and the people of Missouri for the privilege to serve our state. It would not have been possible without the steadfast support of my family. Here with us tonight is Missouri's First Lady – my wonderful wife, Georganne.

Throughout my life, I have been guided by principles I was taught as a youngster in De Soto Boy Scout Troop 559:

Do your duty ... to God and your country ... help other people at all times ... and leave things better than you found them.

Following these principles, I became an Eagle Scout, a husband, a father, a state senator, Attorney General ... and Governor.

These same principles remain touchstones for service to our great state.

In nearly 30 years of public service, I've learned a lot about the character of the people of Missouri.

We don't expect something for nothing.

But give us an opportunity? We roll up our sleeves and get to work.

Give us a challenge? We rise to meet it.

I have also learned a lot about state government.

If we are mired in partisanship ... not much gets done.

But when we aim high and work together ... there is much we can accomplish.

Let's show the people we serve that we can rise above partisanship ... unite ... and move Missouri forward.

Let's do our duty to God and country... help others ... and leave Missouri better than we found it.

That means working together.

Now, I'm willing to do my part.

Rumor has it that I don't spend enough time on the third floor.

I hear you ... and I'll be coming around more often.

One hour ago ... in my office ... I presented the Legion of Honor to Norbert Gerling of Henley, Missouri. It is the highest distinction bestowed by the French government for service to the people of France.

In the summer of 1944, Mr. Gerling was a Hellcat gunner with the 609th Tank Destroyer Battalion. He joined General Patton's Third Army for the drive through France into Germany during the Battle of the Bulge, and was awarded the Bronze Star for meritorious service.

Sergeant Gerling represents millions of members of the Greatest Generation, men and women who demonstrated the grit ... courage ... and unshakable optimism that made our country what it is today.

Sergeant Gerling – would you please stand?

On behalf of all Missourians, we thank you – and all the men and women in uniform who serve our state and our nation at home and around the globe.

For their courage and sacrifice, our veterans deserve more than gratitude. They deserve to live with dignity and pride.

Today, with a generation of Vietnam-era veterans getting older, we need to ensure that all our veterans receive the best care possible.

That's why my budget includes the resources to modernize and improve our state veterans' homes, so that they're up to the high standards our veterans deserve. But we need to do more.

Nearly 2,000 Missouri vets are now on a waiting list to get the care they've earned. That's unacceptable.

And that's why I am proposing the construction of a new veterans' home for these proud Missourians.

These men and women did their duty to God and country, so that our lives might be better.

Now we need to be there for them. Let's work together and get it built.

The spirit of optimism ... that willingness to face any challenge ... has always made us special as Americans and Missourians.

In times of struggle and unrest – like those we saw this past year – that spirit has helped us find a new path forward.

And it's the same spirit that has produced some of Missouri's proudest moments over the past six years.

Together, we led the rebirth of the American auto industry here in the Heartland.

Together, we helped communities recover and rebuild – stronger than ever – in the aftermath of floods, blizzards, and the deadliest tornado in our history in Joplin.

And together, we're moving Missouri forward on a foundation of fiscal discipline and solid economic growth.

Here in Missouri, fiscal discipline is a value.

We balance budgets. We keep taxes low.

And we continue to downsize state government ... while improving services through innovation.

We trimmed the state workforce by more than 5,000 positions ... paid down debt ... and sold off property.

At a time when pension costs were dragging down other states – we worked together to shore up our pension system, saving taxpayers more than \$600 million over ten years.

Strict fiscal discipline helped protect our AAA credit rating, giving us the opportunity to make essential, long-overdue investments in the future. Last year, the legislature took the first step by passing additional bonding capacity.

That means this year, we can move forward with a strategic bond issuance to fund improvements to our college campuses, state buildings, state parks and veterans' homes.

That means more jobs.

That means better labs for more students.

That means taking care of more veterans.

Let's get it done.

In the past six years, we made government smarter by embracing technology.

From hunting permits to childcare provider information, Missourians can now access hundreds of government services from their smart phones ... saving time, money and aggravation.

I thank the General Assembly for supporting investments in 21st Century technology to better serve our taxpayers.

Technology has dramatically improved the quality of our daily lives. But at the same time, it has created serious security challenges – and growing anxiety – about the safety of sensitive information.

From credit card fraud to identity theft to cyber-terrorism, there are real and mounting threats to our personal information, financial and medical records and even our power grid. Hackers are constantly trying to crack security firewalls ... targeting government and private companies alike.

This year, we will ramp up our cyber-security efforts by partnering with businesses, law enforcement, and universities to identify best practices and educate the public.

Making Missouri a leader in cyber-security will make our families and our personal information safer, create more jobs in our tech sector, and strengthen our growing economy.

And our economy is growing.

Let's take just a second to remember where we started.

When I took office in January 2009, the state had lost more than 65,000 jobs in the previous year.

The unemployment rate was 8.6 percent and rising.

Today, we got the news that our unemployment rate just dropped again – to 5.4 percent.

Home construction is up ... personal income is up ... and Missouri employers created more jobs in 2014 than in any year since 1997.

That's right – we just closed out the best year for job growth in 17 years.

And we're just getting started.

The largest economic development project in our history is underway in Kansas City: Cerner's \$4.4 billion campus for 16,000 workers in high-tech health care.

Thanks to the work we did in a special session one year ago, Boeing is bringing commercial aircraft manufacturing to Missouri for the first time in its history, putting hundreds more to work in North St. Louis County.

And more enterprising Missourians – in small towns and big cities across our state – are starting their own businesses than at any time in the last 20 years.

Another way we're creating more jobs at home?

By selling more Missouri products to Brazil ... China ... Taiwan ... England ... France ... Korea ... Canada and others.

Some of you in this room have joined me on these successful trade missions. We have signed agreements to sell billions of dollars of Missouri goods to businesses and consumers alike.

Last year, our exports hit \$14 billion. That's \$14 billion of Made-in-Missouri products going all over the world.

A big part of that success is from our number one industry: agriculture.

2014 was a phenomenal year for ag exports ... from corn and soybeans ... to rice, chickens, hogs and turkeys.

And there are 11 million more potential customers for Missouri's farm products just 90 miles away from the U.S. ... in Cuba.

For many in my generation, trade with Cuba was unthinkable. But never underestimate the power of American democracy to improve people's lives and open hearts and minds. Once free markets begin to flourish, freedom will follow.

Two weeks ago, I went to Washington and stood with a coalition that now includes more than 40 ag groups calling for expanded trade to Cuba. In March, I am heading to Havana with our Director of Agriculture, Richard Fordyce, and leaders of national and state commodity groups, to make sure Missouri is first in the door.

Because all we need is an open door, and Missouri's innovative, hard-working producers will do the rest.

We're also working to bring economic opportunity to our small towns and rural communities by boosting our cattle industry.

Missouri ranks second in the nation in cow/calf production, thanks to cutting edge genetic research and the know-how of our farmers and ranchers. But here's the beef.

Nearly all those animals leave Missouri before they're full-grown, and are finished and processed in other states. That means Missouri is missing out on more than \$1 billion in value every year.

We need to keep those cattle – and those dollars – right here in the Show-Me State.

Earlier this month, we brought together hundreds of folks from around the state – producers, scientists, packers, corn-growers, legislators and others – to develop a plan to do just that.

We're also proposing \$1.2 million to research new ways to make our cattle industry more profitable.

With the right strategy on beef, we can strengthen our rural economy, and the families and communities that depend upon it.

Getting more Missouri goods to global markets requires the transportation infrastructure to get them there safely.

We've traditionally paid for roads and bridges through user fees, like the gas tax. Missourians believe it's only fair that folks who use the roads also pay for them.

But with more fuel-efficient vehicles, drivers are getting more miles out of each gallon of gas... so they end up paying less to fund our roads.

As a result, money for our roads and bridges is drying up.

Missouri has the seventh-largest highway system in the nation. But we rank 46th in how much we invest to maintain it.

Last week, we heard MoDOT lay out – in stark terms – what this means.

On thousands of miles of state roads, from Lindbergh in St. Louis to Rangeline in Joplin, we'll barely be able to patch potholes.

By 2017, we won't even have enough revenue to match federal highway dollars.

So what do we do?

One option is a toll road on Interstate 70. The Highway Commission's recent report showed that this approach could make I-70 better and safer ... and free up tens of millions of dollars for other roads around the state.

Trucks and out-of-state vehicles that do the most damage to I-70 would have to pay their fair share.

That deserves serious consideration.

Here's another option: the gas tax.

Missouri's gas tax hasn't gone up a penny in nearly 20 years. It's the fifth-lowest in the nation. With gas prices as low as they are now, this is worth a very close look.

If we want to leave Missouri roads better than we found them, the only thing we can't do is sit still. This is a major, long-term challenge – so let's get moving now.

Creating opportunity for all Missourians requires us to face some painful truths and tackle some difficult challenges.

The events in Ferguson following the death of Michael Brown sparked a national conversation about race and equality, education and economic opportunity, law enforcement and the courts.

We've already taken some meaningful steps forward in Ferguson.

We've provided loans to help small businesses recover.

We'll invest \$2.5 million to improve West Florissant Avenue.

I created the Office of Community Engagement, led by former Senator Maida Coleman. She is already doing great work, including overseeing a summer jobs program for thousands of low-income kids in St. Louis and Kansas City.

Last fall, I created the Ferguson Commission, which continues its vital work of listening, learning, and evaluating solutions. I look forward to receiving its final report this September.

But make no mistake.

The legacy of Ferguson will be determined by what we do next ... to foster healing and hope ... and the changes we make to strengthen all of our communities.

Many of the broader, systemic issues will require sustained effort by those of us in this room.

- We need to reform municipal courts so that all citizens are treated fairly;
- We need to update the state statute governing deadly force to be consistent with constitutional requirements and U. S. Supreme Court precedent;
- We need to support policies that foster racial understanding... and compassion;
- We need to create greater economic opportunity and encourage personal responsibility;
- We need to strengthen failing schools and provide access to affordable health care;
- And we must recruit, train and certify professional law enforcement that reflects the diversity of the community it serves.

The men and women of law enforcement serve and protect in difficult and dangerous circumstances.

They put their lives on the line to protect our lives.

We are proud of our law enforcement officers, for all they do, each and every day.

We send them into streets where there is too much violence ... and too little hope.

Too much fear ... and too little trust.

But some folks feel they have to choose sides:

Them ... or us.

Teens or cops.

Black or white.

The truth is ... we're all in this together.

The truth is ... real and lasting change is only possible when we stand together.

We saw many examples of compassion and generosity in Ferguson. Religious leaders, residents and business owners pitched in to help.

Teachers volunteered to provide activities for hundreds of kids at the public library, after school was cancelled.

One day last summer, troopers from the Missouri State Highway Patrol were driving through Canfield Green, when they noticed a basketball hoop that looked pretty sad ... didn't even have a net.

So with their own money, the troopers went to a local store and bought a net and a new basketball. Then the troopers drove back, hung the net and tossed the ball to some neighborhood kids.

Back on the same street the next day, the troopers saw that a pickup game was underway. And they joined in.

Of course, it was more than just a friendly game of hoops.

It was an opportunity to ease tensions ... to foster trust ... and to bring about the kind of change that is needed in communities all across America.

As we search for long-term strategies to promote equality and economic opportunity, we don't need to look further than education.

Education is the great equalizer.

Because when every child has a quality education, every child has the opportunity to succeed.

And education is the best economic development tool we have.

That's why we've increased funding, while also raising our expectations with more rigorous classes ... tougher tests, and stricter accountability.

And Missouri schools are rising to the challenge.

Over the past six years, math scores have gone up ... reading scores have gone up ... and we're starting to see solid progress in some of our most troubled school districts.

Tonight we are joined by Dr. Tiffany Anderson, the Superintendent of the Jennings School District in North St. Louis County, and Breyannah Parker, a 7th Grade student at College Prep Academy with a 4.0 GPA.

More than 90 percent of the kids in her district come from poor families – but they aren't letting anything hold them back.

Jennings students have made big leaps forward over the past several years with higher test scores and higher graduation rates.

Please join me in thanking Dr. Anderson for her leadership and dedication to the success of students like Breyannah.

Visit communities across our state – and you'll get a sense for how strongly Missourians support their local public schools ... and their teachers. Last fall at the polls, voters overwhelmingly rejected a wrong-headed attack on public school teachers with more than 76 percent of Missourians voting against it.

That initiative, bankrolled by a narrow special interest, lost in every single county of the state.

In Stone County and Sullivan County ... Wayne and Washington ... Greene and Iron County, Missourians demonstrated just how fiercely they stand behind public schools.

Because Missourians know we need to pay our teachers more.

Not chip away at their job security.

Where our public schools thrive, our communities thrive.

And if we're completely honest about where our schools stand ... we've still got work to do.

Because better isn't good enough. Our kids deserve the best.

My budget will invest an additional \$11 million in pre-school, so that more children, regardless of their circumstances, start kindergarten ... ready to learn.

And once again, I am proposing record funding for K-12 education ... with an additional \$150 million for our local public schools.

That means more technology in classrooms ... smaller class sizes ... more hands-on learning ...

It also means better pay for the folks that do the toughest, most important job there is: teaching our kids.

I appreciate the good, bipartisan discussions we've had about the school transfer law. And I am confident the legislature will get a clean fix to my desk this session.

We know that the fastest-growing, highest-paying jobs in the global economy are in science, technology, engineering and math.

But right now less than 20 percent of undergrads at our public universities are getting degrees in these demanding academic disciplines.

We've got to expose kids – at an early age – to programs that bring science and math to life ... like Project Lead the Way.

I've been to Project Lead the Way classrooms where kids were analyzing DNA and designing software. It's a real game-changer.

We now have more Project Lead the Way computer science programs than any other state.

But not enough schools are using Project Lead the Way at the elementary level. We need to ramp that up dramatically.

That's why my budget provides start-up grants to expand Project Lead the Way to another 350 elementary schools.

When it comes to higher education, we continue to be guided by our core principles: quality, affordability – and accountability.

Since 2009, Missouri has led the nation in holding down tuition increases at our public universities.

I'm proposing an additional \$25 million for colleges and universities, based on how well they meet strong performance standards.

We're also working to provide state-of-the-art facilities that will prepare our students for high-tech jobs ... replacing lab equipment that's more than 30 years old ... upgrading engineering buildings with leaky roofs and poor lighting.

Because we can't prepare students for 21st Century jobs with equipment that was obsolete in the 20th Century.

In fact, with your hard work last year, one of these projects is already underway.

Long-overdue renovations at Mizzou's College of Engineering will add classroom and lab space to prepare more Missourians for the high-tech, high-wage jobs of the future.

Educating a competitive workforce is something we all can get behind.

Thank you for your support in getting this done.

Education is key to the economic future of our state.

And so are our natural resources.

Missouri is blessed with an abundance of fresh water – from the Mississippi and Missouri rivers, to our clear-running Ozark streams.

We take it for granted.

But if you go upstream to the Dakotas, to the headwaters of the Missouri, it's a different story.

They're fighting over water.

They want to divert as much water from the Missouri River as they can, which would leave our farmers and shippers high and dry.

Take Kansas.

Their latest harebrained idea is the construction of a 360-mile aqueduct to siphon off more of our Missouri River water.

We can't let that happen.

As long as I am Governor, I will not let states upstream divert Missouri River water that we rely on for drinking, farming and industry.

We need to protect the amount of water we have in Missouri, and we need to protect the quality of water we have in Missouri.

All over the state, drinking and wastewater treatment systems – many built decades ago – are starting to fall apart.

If you've ever had a pipe burst in your basement – or a cracked main in your subdivision – you know how costly it can be.

That's why my budget this year includes \$70 million – funds already approved by the voters and the legislature – to rebuild these aging water systems, and ensure that we leave Missouri's waters better than we found them.

Our rivers and streams are part of the priceless outdoor heritage all Missourians can enjoy.

And our 87 state parks and historic sites have been recognized as the finest in the nation for camping, hiking, bicycling and paddling – with millions of visitors every year.

This year is our opportunity to update and renovate our state park cabins and lodges, with special attention to preserving the historic structures built by the Civilian Conservation Corps.

One of the most iconic CCC structures in our state parks is the bridge at Bennett Spring.

It's just one of many special places that we need to preserve for generations to come.

I've spoken a lot tonight about some of the big challenges we must overcome to create opportunity and build a brighter future for our state.

Now I'd like to talk about another challenge ... but an even greater opportunity:

Strengthening and reforming Medicaid.

Let me remind you, a lot has changed since last year.

Since I stood here last year, Missouri taxpayers have sent \$2 billion to Washington.

Those dollars are being used right now, in other states, to reform and improve their Medicaid systems.

That's two billion Missouri taxpayer dollars. And this year, there's another \$2 billion at stake.

If we keep standing still, that's \$4 billion Missourians will have lost to other states by the end of this year.

Across the country, people are moving past the politics.

Republican governors in Arizona, Iowa, Michigan, New Jersey, New Mexico, Nevada, North Dakota and Ohio have already strengthened Medicaid in their states.

Since last year, even more Republican governors have come forward with Medicaid proposals ... in Utah and Tennessee, Indiana and Wyoming.

Even the Republican Governor of Alabama has indicated he may join them.

Many states are pursuing innovative reforms – demanding personal responsibility, encouraging work and cracking down on fraud.

And they're using our tax dollars to do it.

And where our tax dollars have gone, health care jobs have followed.

States that have strengthened and improved Medicaid have had three times the growth in health care jobs as states that haven't.

Hospitals are often the largest local employers in our communities. But jobs in health care – which comprise one-sixth of the jobs in our total economy – aren't growing like they should.

In fact, in the past year, thousands of Missouri health care jobs have been lost.

Hospitals and clinics have closed. And if we don't take action, more will follow.

Last summer, an official WARN notice was sent to our Department of Economic Development from the CEO at Ozarks Community Hospital in Springfield about impending layoffs.

The CEO explained that his hospital was going to cut 60 jobs in Missouri, but hire 62 new workers across the border in Arkansas.

The CEO wrote – and I quote:

"The reason we are hiring in Arkansas and laying off in Missouri is that Arkansas chose to expand Medicaid ... and Missouri did not ... I fear that Missouri will never recover the ground it is now losing statewide as a result of political posturing."

End quote.

Folks, this is real. The time to move forward is now.

It's also really important to remember that standing still on Medicaid has a human cost.

The 300,000 Missourians who would get health care if we moved forward are your friends and neighbors.

13,000 of them are veterans ... 50,000 are people struggling with mental illness or substance abuse ...

And tens of thousands more are working Missourians who live below the poverty line. Because they are working, they earn too much to get Medicaid. But they can't afford to buy health insurance on their own.

Let's work together ... rise above the same old partisan fights of years ago and strengthen and reform Medicaid this year.

You know that when we work together, we can make a real difference. Just look at what we've done to strengthen our mental health system. We passed landmark legislation to help children with autism.

We're building a state-of-the art mental hospital in Fulton, replacing one that opened in 1851.

We put mental health professionals in community health centers to work hand-in-hand with local law enforcement. Together, they're helping thousands of vulnerable Missourians with chronic mental illness get the treatment they need.

And for the first time in 20 years, there is no longer an agonizing wait – of weeks, months, or even years – for in-home services for low-income Missourians with developmental disabilities.

That's what happens when we work together.

Those of us in state government understand its role in protecting the vulnerable ... preserving the peace ... fostering greater economic opportunity ... and educating our children.

And yet, many Missourians have grown cynical about state government's ability to help them better their own lives.

That's because they believe the system is rigged against them ... favoring the wealthy and well-connected ... while ignoring hard-working folks driving trucks, waiting tables, stocking shelves ... just trying to make ends meet.

Like I said before, Missourians don't expect something for nothing.

But they do expect a fair shake ... and they deserve it.

What good are we to the people who elected us ... if they can't trust us to represent their best interests?

That is exactly why we need ethics reform.

I've talked about it ... right here ... every year that I have been Governor.

We have the weakest ethics laws in the nation.

It's not fair ... it's not right ... and you and I know it.

Every day we don't act, the public's confidence in us continues to erode.

No more excuses. Let's get a meaningful ethics reform bill to my desk.

When we work together, we can achieve great things for the people of our state.

Last week I was at the Detroit Auto Show, where Missouri's award-winning trucks and vans once again took center stage.

Today, our automotive comeback may seem like it was always inevitable. But back in 2009, it was anything but.

The national recession and competition from overseas had dealt a crippling blow to our auto industry. By the time I took office, plants were closed – or closing – in Hazelwood ... south St. Louis ... north St. Louis ... and Fenton.

There were rumors that Ford's Kansas City Assembly Plant – and 4,000 hard-working folks employed there – might be next.

I was not about to let that happen.

As long as cars were going to be made somewhere, I was determined to make sure it was Missourians who were building them.

The first executive order I signed was to create an automotive jobs task force. We also ramped up our investments in workforce training.

But to secure the future of next-generation automotive manufacturing in our state – we had to do more.

That's why, when we couldn't get it done in regular session in 2010, I called a special session to pass strategic, fiscally responsible legislation that would ultimately pull our auto industry back from the brink.

And when it passed, I signed it right there in Claycomo with the hardworking men and women of Local 249.

So, it's no accident that soon, more vehicles will be rolling off the line at Claycomo than any other Ford plant in the world.

It's no accident that General Motors' plant in Wentzville continues to expand to build the award-winning Chevy Colorado and the GMC Canyon.

And it's no accident that Motor Trend's top three trucks of 2015 are all built right here in the Show-Me State.

Ford, GM and more than 60 automotive suppliers have invested more than \$2 billion in Missouri since 2010.

You think bringing auto manufacturing back in the Heartland was an easy lift? It wasn't.

It required passage of two pieces of legislation during that special session. And one of them passed by just two votes.

Many said it wouldn't get done. They were wrong.

There are 24 members who voted for both bills who are still serving in the legislature today, including then-Speaker Ron Richard.

Four of them are now your leaders – President Pro Tem Tom Dempsey, Senate Minority Leader Joe Keaveny, House Minority Leader Jake Hummel and Speaker of the House John Diehl.

These weren't easy votes for everyone at the time.

But it was the right thing to do.

So if you want to get ahead around here?

Do the right thing.

Reach across the aisle.

Together we can do great things for our state.

But the real credit for rebuilding our auto industry goes to the workers.

We are joined by some of them tonight – the men and women of the UAW.

Today's high-tech vehicles are not your parents' trucks and vans. Building them takes a level of skill and craftsmanship that is quite simply extraordinary.

You build the strongest, toughest vehicles in the world – and you're making the Show-Me State the national leader in automotive excellence and innovation.

Your work ethic is second to none.

Your product is the best in the world.

You make Missouri proud.

Because of the work we did together ... these men and women have the dignity of a good, family-supporting job.

Those paychecks cover more than monthly bills. They help folks buy cars and houses. They pay for books and baseball gloves ... computers and college tuition. And put something in the collection plate on Sunday.

And it was made possible by the decisions made in this building.

This, my friends, is what public service is all about.

This is why we're here.

To create real opportunity ... that leaves no one behind.

The fact is: our state works best when everyone has an opportunity to succeed.

Every college student in our state deserves the opportunity to earn a degree that prepares them to compete in a global economy... and enter the workforce without a mountain of debt ...

Every parent in our state deserves the opportunity to get a job that pays enough to provide for their families ... and save a little, too.

Every farmer who wakes up before sunrise and works past sunset deserves a chance to sell his crops not just around the country ... but around the globe.

And every Missourian ... every Missourian ... deserves a government worthy of their trust.

That's what is expected of us.

We must demand it of ourselves ... and each other.

I believe that we're all here for the same reasons ... which brings us right back to the values instilled in me as a Scout: to do our duty ... to God and our country ... to help other people at all times ... and to leave things better than we found them.

Working together we will build a stronger Missouri for everyone ... and leave our great state a better place than we found it.

Our time is short.

Let's make the most of it.

Thank you ... and God Bless.

On motion of Senator Richard, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by Senator Pearce.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 114, regarding the Veterans of Foreign Wars Post 5327, Wentzville, which was adopted.

Senator Curls offered Senate Resolution No. 115, regarding the Heartland Fabrication and Machine, Incorporated, Raytown, which was adopted.

Senator Sifton offered Senate Resolution No. 116, regarding Beverly Strohmeyer, St. Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 117, regarding Linda K. Patton, Russellville, which was adopted.

Senator Richard offered Senate Resolution No. 118, regarding Michelle Gautz, Sarcoxie, which was adopted.

Senator Riddle offered Senate Resolution No. 119, regarding Joseph Earl Schmitt, Marthasville, which was adopted.

Senator Richard offered Senate Resolution No. 120, regarding Robert “Bob” Evans, Carthage, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Advisors Laura Fisher and Nicolette Yevich; and Students Lauren Kramm, Shelbi Becker, Kyle Schenwerk, Zach Andrews, Keely Zimmerman, Brennen Hurley, Lindsay Smith, Madison Lester and Jamall Williams, Central Methodist University, Fayette.

Senator Onder introduced to the Senate, Erin Williams, Sara Henderson and Mark Crank, O’Fallon.

Senator Richard introduced to the Senate, members of the Missouri Society of Certified Public Accountants: Sondra DePriest, Savannah; Sonny Evers, Eldon; Ven Houts and Jim O’Hallaron, Kirkwood; Dave Myers, Rogersville; Nick Myers, Joplin; Dave Ruth, Randy Hilger, Art Seltzer, and Kathy Meyer, St. Louis; Chuck Robb, Kansas City; John Sheehan, Jefferson City; Gary Johnson, Cape Girardeau; and John Moroney, Fenton.

Senator Holsman introduced to the Senate, Greg Kratofil, Kansas City.

Senator Wallingford introduced to the Senate, Julia Pittman, Pleasant Hill.

Senator Sater introduced to the Senate, former State Representative Roy Holand, Springfield.

Senator Romine introduced to the Senate, Emily Snyder, Springfield.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

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NINTH DAY—THURSDAY, JANUARY 22, 2015

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 51-Onder

SB 52-Schaaf

SB 53-Schaaf

SB 54-Munzlinger

SB 55-Munzlinger

SB 56-Munzlinger

SB 57-Dixon

SB 58-Dixon

SB 59-Dixon

SB 60-Chappelle-Nadal

SB 61-Chappelle-Nadal

SB 62-Chappelle-Nadal

SB 63-Sater	SB 101-LeVota
SB 64-Emery	SB 102-LeVota
SB 65-Emery	SB 103-LeVota
SB 66-Emery	SB 104-Kraus
SB 67-Cunningham	SB 105-Kraus
SB 68-Romine	SB 106-Kraus
SB 69-LeVota	SB 107-Sater
SB 70-LeVota	SB 109-Schaefer
SB 71-LeVota	SB 110-Schaefer
SB 72-Nasheed	SB 111-Schaaf
SB 73-Holsman	SB 112-Dixon
SB 74-Holsman	SB 113-Dixon
SB 75-Holsman	SB 114-Kraus
SB 76-Sifton	SB 115-Kraus
SB 77-Sifton	SB 116-Kraus
SB 78-Sifton	SB 117-Brown
SB 79-Dixon	SB 118-Brown
SB 80-Dixon	SB 119-Brown
SB 81-Dixon	SB 120-Walsh
SB 82-Chappelle-Nadal	SB 121-Walsh
SB 83-Chappelle-Nadal	SB 122-Walsh
SB 84-Chappelle-Nadal	SB 123-Schupp
SB 86-Emery	SB 124-Schupp
SB 87-Emery	SB 125-Schupp
SB 88-LeVota	SB 126-Brown
SB 89-LeVota	SB 127-Brown
SB 90-LeVota	SB 128-Brown
SB 91-Dixon	SB 129-Brown
SB 92-Emery	SB 130-Walsh and Schupp
SB 93-Emery	SB 131-Parson
SB 94-Emery	SB 132-Parson
SB 95-LeVota	SB 133-Parson
SB 96-LeVota	SB 134-Holsman
SB 97-LeVota	SB 135-Holsman
SB 98-Emery	SB 136-Sifton
SB 99-LeVota	SB 137-Parson
SB 100-LeVota	SB 138-Parson

SB 139-Parson and Kehoe	SB 176-Schmitt
SB 140-Parson	SB 177-Munzlinger
SB 141-Parson	SB 178-Munzlinger
SB 142-Romine	SB 179-Sater
SB 143-Romine	SB 180-Chappelle-Nadal
SB 144-LeVota	SB 181-Curls
SB 145-Pearce	SB 182-Curls
SB 146-Pearce	SB 183-Curls
SB 147-Schaaf	SB 184-LeVota
SB 148-Parson	SB 185-LeVota
SB 149-Parson	SB 186-Curls
SB 150-Parson	SB 187-Curls
SB 151-Sater	SB 188-Curls
SB 152-Wallingford	SB 189-Curls
SB 153-Wallingford	SB 190-Curls
SB 154-Wallingford	SB 191-Curls
SB 155-Nasheed	SB 192-Munzlinger
SB 156-Nasheed	SB 193-LeVota
SB 157-Wallingford	SB 194-Richard and Holsman
SB 158-Schaefer	SB 195-Schmitt
SB 159-Parson	SB 196-Schaaf
SB 160-Brown	SB 197-Brown
SB 161-Nasheed	SB 198-Brown
SB 162-Nasheed	SB 199-Dixon
SB 163-Nasheed	SB 200-Dixon
SB 164-Sifton	SB 201-Dixon
SB 165-Nasheed	SB 202-Dixon
SB 166-Nasheed	SB 203-Dixon
SB 167-Schaaf	SB 204-Parson
SB 168-Munzlinger	SB 205-Parson
SB 169-Schaaf	SB 206-Parson
SB 170-Kraus	SB 207-Pearce
SB 171-Romine	SB 208-Sater
SB 172-Romine	SB 209-Sater
SB 173-Romine	SB 210-Schaefer
SB 174-Schmitt	SB 211-Walsh and Dixon
SB 175-Schmitt	SB 212-Walsh

SB 213-Wallingford	SB 250-Onder
SB 214-Pearce	SB 251-Onder
SB 215-Nasheed	SB 252-Romine
SB 216-Keaveny	SB 253-Romine
SB 217-Riddle	SB 254-Kraus
SB 218-Riddle	SB 255-Schaaf and Holsman
SB 219-Wallingford	SB 256-Sater and Nasheed
SB 220-Kehoe	SB 257-Sater
SB 221-Schatz	SB 258-Wallingford
SB 222-Schatz	SB 259-Wallingford
SB 223-Schatz	SB 260-Schaefer
SB 224-Romine and Dixon	SB 261-Schaefer
SB 225-Romine	SB 262-Schaefer
SB 226-Emery	SB 263-Schaefer
SB 227-Emery	SB 264-Schaefer
SB 228-Curls	SB 265-Schaefer
SB 229-Curls	SB 266-Schaefer
SB 230-Romine	SB 267-Schaefer
SB 231-Kehoe	SB 268-Pearce
SB 232-Kehoe	SB 269-Nasheed
SB 233-Kehoe	SB 270-Nasheed
SB 234-Kehoe	SB 271-Silvey
SB 235-Dixon	SB 272-Riddle, et al
SB 236-Keaveny	SB 273-Riddle
SB 237-Keaveny, et al	SB 274-Schupp
SB 238-LeVota	SB 275-Schupp
SB 239-Brown	SB 276-Walsh
SB 240-Keaveny and Schaaf	SB 277-Walsh
SB 241-Keaveny	SB 278-Schatz
SB 242-Dixon	SB 279-Brown
SB 243-Schmitt	SB 280-Keaveny
SB 244-Schmitt	SB 281-Silvey
SB 245-Hegeman	SB 282-Parson
SB 246-Hegeman	SB 283-Kehoe
SB 247-Sifton	SB 284-Munzlinger
SB 248-Schaefer	SB 285-Kehoe
SB 249-Holsman	SB 286-Schaaf

SB 287-Silvey	SJR 4-Emery
SB 288-Schatz	SJR 5-Kraus
SB 289-Schatz	SJR 6-Curls
SB 290-Schaefer	SJR 7-Richard and Wallingford
SB 291-Cunningham	SJR 8-Schmitt
SJR 1-Munzlinger	SJR 9-Schmitt
SJR 2-Dixon	SJR 10-Sater
SJR 3-Chappelle-Nadal	SJR 11-Emery

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 10-Munzlinger

HCS for HCRs 4 & 3

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

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Journal of the Senate

FIRST REGULAR SESSION

NINTH DAY—THURSDAY, JANUARY 22, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“If your law had not been my delight, I would have perished in my misery.” (Psalm 119:92)

Almighty God, we thank You for Your law that keeps order in the universe and a guide for our lives. In the midst of knowing the law You revealed, that we take delight in, we seek to sync our laws with Yours so there is order and justice in our state. And we pray for safe travel and a joyful homecoming. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 121, regarding Garren Wegener, which was adopted.

Senator Pearce offered Senate Resolution No. 122, regarding Hagan A. Zinecker, which was adopted.

Senator Pearce offered Senate Resolution No. 123, regarding Chance Riddle, which was adopted.

Senator Pearce offered Senate Resolution No. 124, regarding Jesse Wayne Colhour, which was adopted.

Senator Pearce offered Senate Resolution No. 125, regarding Joshua S. Boswell, which was adopted.

Senator Pearce offered Senate Resolution No. 126, regarding Benjamin Michael Bissen, which was adopted.

Senator Pearce offered Senate Resolution No. 127, regarding Richard Alexander Mesar III, which was adopted.

Senator Pearce offered Senate Resolution No. 128, regarding George Elwin Cooper III, which was adopted.

Senator Pearce offered Senate Resolution No. 129, regarding Isaac William Kohl, which was adopted.

Senator Pearce offered Senate Resolution No. 130, regarding Jonathan Daniel Duhamell, which was adopted.

Senator Pearce offered Senate Resolution No. 131, regarding Jacob Daniel Weinmann, which was adopted.

Senator Pearce offered Senate Resolution No. 132, regarding Robert Adam Richner, which was adopted.

Senator Pearce assumed the Chair.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 292—By Munzlinger.

An Act to repeal sections 442.571 and 442.586, RSMo, and to enact in lieu thereof two new sections relating to foreign ownership of agricultural land.

SB 293—By Parson.

An Act to repeal section 135.700, RSMo, and to enact in lieu thereof one new section relating to the tax credit for wine production.

SB 294—By Schaaf.

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof seven new sections relating to health care providers, with expiration dates.

SB 295—By Schaaf.

An Act to repeal section 208.151, RSMo, and to enact in lieu thereof one new section relating to MO

HealthNet eligibility income limits for elderly and disabled persons.

SB 296—By Schaaf.

An Act to repeal section 302.020 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 302.020 as enacted by house bill no. 111, ninety-sixth general assembly, first regular session, and to enact in lieu thereof one new section relating to protective headgear for operation of enclosed three wheel vehicles, with existing penalty provisions.

SB 297—By Holsman.

An Act to repeal section 44.100, RSMo, and to enact in lieu thereof two new sections relating to the civil disaster response corps.

SB 298—By Kraus.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to notification by a hospital of outpatient status, with an emergency clause.

SB 299—By Pearce.

An Act to repeal section 173.250, RSMo, and to enact in lieu thereof one new section relating to the higher education academic scholarship program.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following escort committee pursuant to **HCR 2**. Representatives: Austin, Cornejo, Corlew, Keeney, McGaugh, McDonald, McManus, Pace, Colona and Lavender.

Senator Richard moved that the Senate recess to repair to the House of Representatives to receive the State of the Judiciary Address from the Chief Justice of the Supreme Court, the Honorable Mary R. Russell, which motion prevailed.

JOINT SESSION

The Joint Session was called to order by President Pro Tem Dempsey.

On roll call the following Senators were present:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—None

On roll call the following Representatives were present:

Present—155

Adams	Alferman	Allen	Anders	Andrews	Arthur	Austin	Bahr
Barnes	Basye	Beard	Bernskoetter	Berry	Black	Bondon	Brown 57
Brown 94	Burlison	Burns	Butler	Carpenter	Chipman	Cierpiot	Colona
Conway 10	Conway 104	Cookson	Corlew	Cornejo	Cross	Curtis	Curtman
Davis	Dogan	Dohrman	Dugger	Eggleston	Ellington	Engler	English
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Gardner	Gosen	Green	Haahr	Haefner	Hansen	Harris
Hicks	Higdon	Hill	Hinson	Hoskins	Hough	Houghton	Hubbard
Hubrecht	Hummel	Hurst	Johnson	Jones	Justus	Keeney	Kelley
Kendrick	Kidd	Kirkton	Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lavender	Leara	Lichtenegger	Love	Lynch
Marshall	Mathews	May	McCaherty	McCann Beatty	McCreery	McDaniel	McDonald
McGaugh	McManus	McNeil	Meredith	Messenger	Miller	Mims	Mitten
Montecillo	Morgan	Morris	Muntzel	Neely	Newman	Nichols	Norr
Otto	Pace	Parkinson	Peters	Pfautsch	Phillips	Pierson	Pietzman
Pike	Pogue	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson
Roden	Roeber	Rone	Ross	Rowden	Rowland	Runions	Ruth
Shaul	Shull	Shumake	Smith	Solon	Sommer	Spencer	Swan
Taylor	Vescovo	Walker	Walton Gray	Webber	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker					

Absent and Absent with Leave—7

Anderson	Brattin	Crawford	Dunn	King	Moon	Rizzo
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Vacancies—1

The Joint Committee appointed to wait upon the Chief Justice of the Supreme Court, Mary R. Russell, escorted the Chief Justice to the dais where she delivered the State of the Judiciary Address to the Joint Assembly:

Chief Justice Mary R. Russell
State of the Judiciary Address

Lieutenant Governor Kinder, Speaker Diehl, President Pro Tem Dempsey, members of the General Assembly, the executive branch, my judicial colleagues and everyone gathered here in this chamber. It is my great honor once more to present the state of the judiciary address – one of my most important duties as your chief justice.

This majestic capitol building and the supreme court building across the street are truly state treasures. Hallways in both display pictures of our predecessors – legislators in composites and judges in individual portraits. Every day I walk past the portraits in our building, and many

times I reflect on the legacy of those former judges. Perhaps you, too, stop and examine the composites of former legislators who once sat in your seats, remembering their accomplishments.

Also on this building's walls, in the first floor museum, is a plaque listing the names of the Missourians who were veterans of the Revolutionary War, including the name of my great-great-great-great-grandfather, Samuel Rhodes. Whenever I view that plaque downstairs, I realize the legacy left by him and others who first settled in Missouri after statehood. They helped shape the Missouri we live in today.

But the foundation for many of the rights that we enjoy today, including the right to a trial by jury and other due process guarantees, can be traced back to the Magna Carta – which we celebrate for its 800th anniversary this year. In the fields at Runnymede, the lords of England in 1215 acted to have King John sign this document, which would become the world's most enduring symbol of the rule of law.

As the book of Ecclesiastes declares, "To every thing there is a season." As with those who acted centuries ago, this is *our* season to act. When others look at our pictures and reflect on *our* legacy, what will come to their minds? What do you want *your* legacy to be? Will we be remembered for making Missouri a better place to live and work, or will we be remembered for passing on our problems? Even if just a beginning, our best efforts can have lasting impact.

Continuing to make Missouri's courts better

Last year, I talked with you about ways to make Missouri's courts better. By integrating technology to make the courts more accessible for our citizens, cases can be resolved faster and at less cost. These efforts require a vast investment of resources. But the public expects this investment, as at least 87 percent of American adults have access to the Internet, and a recent survey shows that most people prefer to get court records and pay court fines all online.

Our Case.net system, which allows people at the click of a button to search public case information, continues to be extremely popular. Last year it had more than 540 million hits! Now, more than half of our state courts have electronic filing for cases, with nearly 40 more courts expected to join this year. By the end of 2016, we hope to have electronic filing statewide.

Electronic filing also enables the judicial branch to continue expanding its connections with state executive branch departments. Thanks to a brand new enhancement to our system, Judge Jon Beetem in Cole County, for example, can now receive probation violations electronically from the department of corrections. We hope to expand this enhancement to county officials such as sheriffs and public administrators so they can electronically transmit routine paperwork with the courts. This saves government time and money.

In addition, videoconferencing is available in every state courthouse and averages around 500 calls per month. And now, anyone with a web camera can videoconference with a court. This means Judge Kristie Swaim in Adair County, for example, can videoconference with the local jail and state correctional facilities. This promotes community safety by keeping offenders incarcerated – and reduces the cost of transportation to and from the courthouse. And in mental health proceedings that require medical testimony, judges like Deborah Daniels in Boone County can allow doctors to testify by videoconference, giving them more time to treat other patients.

With the use of iPads or other tablets, judges from Twila Rigby in Jackson County to Kerry Rowden in Maries County to Rick Zerr in St. Charles County, for example, can be available anywhere, anytime, to do the important work that needs to be done. This means requests for warrants or juvenile detention orders or even orders of protection can be transmitted to the judge, reviewed, signed and transmitted back in time measured in minutes rather than hours. This is important, because these requests come in anytime, day or night.

We have also started a Pay By Web feature allowing Missourians a convenient way to make payments online toward outstanding costs owed in certain cases. This new system has been implemented in more than 25 courts – from McDonald County to Buchanan County to the city of St. Louis. We are excited about this new feature and hope to continue expanding its reach throughout the year.

In addition, we are seeking to make jury service as convenient as possible for the thousands of Missourians who fulfill this valuable public duty each year. We are studying various electronic methods for notifying jurors, to make their service simpler and more streamlined.

Working together with constitutional partners

While we in the judiciary continue striving to be innovative in improving Missouri's courts, we appreciate your efforts to improve the laws of Missouri. Last year, for example – in cooperation with The Missouri Bar, the courts, prosecutors, and defense counsel – you passed the first comprehensive update of the state's criminal code in 35 years.

Recent events suggest the need to review Missouri's municipal court divisions. Municipal divisions play an important role in enforcing local laws, and they handle more than two-thirds of all cases filed in our state courts. For many people, the municipal divisions are the first and only

contact they have with the court system. And, as we all know, first impressions can be lasting impressions.

From a local municipal division to the state Supreme Court, Missouri's courts should be open and accessible to all. Courts should primarily exist to help people resolve their legal disputes. If they serve, instead, as revenue generators for the municipality that selects and pays the court staff and judges – this creates at least a perception, if not a reality, of diminished judicial impartiality.

Courts must give consideration to those unable to pay any fine that is imposed. To that end, the Supreme Court recently adopted a new rule – that if people demonstrate they are unable to pay a fine, municipal judges will be required to give them more time to pay it.

We in the judiciary are aware that you, too, will be giving thoughtful consideration to improving the municipal divisions. It is important that those municipal divisions that are not working well do not overshadow the many divisions around our state that do. But as the Rev. Dr. Martin Luther King Jr. once wrote, "We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly."

It is important to ensure that municipal divisions throughout the state are driven not by economics, but by notions of fairness under the rule of law. The Supreme Court is ready to work with you to ensure that people who appear in municipal courts are treated fairly and with respect.

Protecting our children

As public servants, we will be remembered by how we protect our citizens, including our children. It is disturbing that about 14,000 children – through no fault of their own – are in the custody of the children's division, as wards of Missouri's courts. Most of these children are living in foster care because they have parents who abused or neglected them.

This alarming number of children in foster care, unfortunately, reflects an increase of more than 44 percent in just the last five years. Many of these children in foster care face an uncertain future, being moved from foster home to foster home, carrying everything they own in just a black trash bag. I always say that, but for the grace of God, I might have been one of those children too.

Your efforts are vital to ensuring continued improvements in all our child welfare laws. Last year, you passed Senate Bill 869, which gives foster parents the right to participate in court hearings involving children in their care. This recognizes the valuable role played by foster parents, and gives the court access to the first-hand information they possess.

The lives of children in foster care are also enhanced by the volunteer efforts of many of your constituents. One such effort involves the court-appointed special advocates program, also known as CASA. This year, CASA will celebrate its 35th anniversary in Missouri.

It is the only program in which everyday citizens, who – after rigorous screening and special training – are appointed by judges to help determine what is in the best interest of abused or neglected children. By getting to know the children and their families well, these special advocates provide stable connections for the children while becoming the "eyes and ears" of the court. Children with CASA volunteers are substantially less likely to spend time in long-term foster care and are more likely to be adopted.

Last year, there were nearly 11,000 children in foster care who did not have the benefit of a CASA volunteer. I encourage you to learn more about CASA. Your support can help the program grow, and, if your district does not have a CASA program, your leadership can help fill that gap for the abused and neglected children in your area.

I have been honored to serve on the state CASA board and work with its outstanding executive director, Beth Dessem, who will receive the Carnahan Award for Public Service next month. Beth is here with us today. Please join me in congratulating her.

When it comes to helping our children, another one of my passions is truancy court. This positive reinforcement program teaches children the importance of regular school attendance, helping them realize the benefit that education can have in their future. Like many judges around the state, I have volunteered in middle schools by presiding over truancy courts now for more than a dozen years. Because frequent school absence can be a sign of future delinquent and, eventually, criminal behavior, these programs are designed to nip the problems in the bud. As the famous author Victor Hugo said, "He who opens a school house door, closes a prison."

At the beginning of each semester, I tell the students in the truancy court program that state law requires them to attend school a reasonable amount of time or their parents can be charged with a misdemeanor. Early on Thursday mornings, I meet with students and some of their family members at Lewis and Clark Middle School here in Jefferson City to review progress reports from teachers regarding not only their attendance, but also their academic performance and their behavior. The students set goals to achieve by the next week, and we sign a contract promising to work toward those goals. I am proud to introduce to you some of my most successful students – Terrik Hampton, Mackenzie Henderson and Andy Malone – who are accompanied by their principal, Sherri Thomas, who is celebrating her birthday today! Please rise and be recognized.

Protecting our veterans

Missouri also has had great success with the treatment court model. Instead of paying the bill for a lifetime of in-and-out incarceration, Missouri has found that investing in treatment courts gives nonviolent offenders an opportunity to beat their addictions, helping to reduce the likelihood of repeat criminal behavior. Now in their third decade, Missouri treatment courts have had more than 15,000 graduates – with more than 680 drug-free babies born to program participants.

We have worked with the legislature to expand this program in careful and sustainable stages. There are now more than 135 programs throughout the state, with an active enrollment of more than 3,600 participants right now. In fact, Missouri has more treatment court programs per capita than any other state in the country.

One of our newest treatment court programs focuses on a very special population – our veterans. It is unfortunate that some of our veterans return home with symptoms of a mental health disorder or cognitive impairment or turn to substance abuse to help them cope. Some of these struggling veterans end up in our criminal system. As President Lincoln said during his second inaugural address, made just a month before the Civil War ended, “... let us strive ... to care for him who shall have borne the battle” And so we do strive to use the opportunities created by these treatment courts to care for our veterans. They deserve nothing less.

We have established seven veterans treatment courts serving 37 counties as well as Kansas City and the city of St. Louis. These programs serve veterans struggling with addiction, serious mental illness – or both – by promoting sobriety, recovery and stability. Key to the success of these programs is the support of other veterans who serve as mentors. These veteran-mentors have walked in the same boots and truly understand the unique challenges our servicemen and women face when they return home. We appreciate the support that you have shown to these programs through your legislation – which has had a positive impact on the lives of more than 100 soldiers so far.

Among these graduates is Phillip, who served twice in Iraq and was medically discharged. Barely six months later – suffering from both mental health and substance abuse issues – he was arrested for misdemeanor drug possession and, during a subsequent court appearance, got into an altercation with a bailiff. While participating in Boone County’s veterans treatment court program, he worked hard to comply with stringent requirements such as random drug testing, counseling and weekly court sessions. He credits the opportunity the court gave him for changing the direction of his life. He continues to serve now by riding his motorcycle to help escort the Mid-Missouri Honor Flights. Phillip is with us here today, along with members of his treatment team. Please join me in congratulating Phillip on his success!

Protecting our elders

But as we seek to create a positive legacy in the ways we serve our veterans and our children, we must not forget our elders, to whom we owe much. As baby boomers continue to age and people live longer, we are on the brink of an unprecedented population shift, with a higher percentage of older people than ever before. This “Silver Tsunami” is resulting in more of us having silver hair – except, of course, for those of us with a hairdresser with a cure for that! Experts predict that, in just five years, the number of Americans age 65 or older will exceed the number of school-age children. And, just 10 years after that, one-fifth of all Missourians will be 65 or older.

With a larger senior population, we can expect increases in the number of probate cases and hearings involving mental capacity. At least one of our courts is already seeing this impact. Pat Connaghan of St. Louis – last year named the national probate judge of the year! – reports a dramatic increase in the number of older persons with dementia in need of a court-appointed guardian or conservator. It is incumbent on us now to reexamine the laws to ensure that guardians and conservators promote independence, not dependence, for those in their care. We must also tighten our laws to provide maximum protection against elder abuse, neglect and financial exploitation.

Serving as a guardian or conservator often means having to make difficult decisions about the care and well-being of loved ones, the management of their money, and balancing their needs with their desires and personal dignity. We should applaud *all* caretakers for their service.

Conclusion

In conclusion, how we effect meaningful change in the lives of Missourians will be a part of how we all – the legislature and the courts – will be judged by history. Finding ways to better serve our state requires us to be a part of something bigger than any of us. I truly hope that our legacy will be one of collaboration, accomplishment and improvement.

And I hope that we all find honor in the achievements we are able to make. It is certainly the honor of my life to serve as your chief justice, leading a court system devoted to fairness for Missourians and to making positive impacts on those children, veterans and elderly whose lives

intersect with the courts.

But at the end of the day, how judges decide cases or how you vote on a bill or amendment, all fades away when we arrive home from our duties, greeted by our loved ones. We all have important jobs and titles – whether it be representative, senator or judge. But those jobs and titles are only temporary. The other titles we have – Mom, Dad, sister, brother, daughter, son, friend – are much more important, as they are permanent, and so are the relationships those titles represent.

Some of the most important people in my life are here today, including our 2-year-old granddaughter Avery and her parents, Heather and Allen Todd, of Webster Groves. Avery is now the ninth generation of our family to live in Missouri. She comes from a family of public servants, with both grandfathers being former members of this House. So please welcome back my husband, Jim Russell, and Avery's other grandfather, Tom Todd.

I hope for Avery – just as you do for your children, grandchildren, nieces and nephews – that they will live productive and fulfilled lives. Let us not disappoint our generations to follow when they walk past our pictures on the wall. This is *our* season to act – *our* opportunity as constitutional partners to leave meaningful improvements for the lives and livelihoods of future generations of Missourians.

Our time is short. Let us take the privilege we now experience and do all we can to make Missouri the best state in the nation. Thank you.

On motion of Senator Richard, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by Senator Pearce.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Craig Chval, Independent, as a member of the Public Defender Commission;

Also,

Gregory Kratofil, Republican, as a member of the Jackson County Sports Complex Authority; and

Rita Milam, Democrat, as a member of the Missouri Public Entity Risk Management Fund Board of Trustees.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Daniel Isom, as Director of the Department of Public Safety, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Nasheed moved that the committee report be adopted and the Senate do give its advice and

consent to the above appointment.

Senator Silvey requested a roll call vote be taken on the appointment of Daniel Isom, as Director of the Department of Public Safety. He was joined in his request by Senators Keaveny, Dempsey, Schupp and Parson.

Senator Nasheed moved that the committee report on Daniel Isom, as Director of the Department of Public Safety be adopted and the Senate do give its advice and consent to said appointment, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schatz
Schmitt	Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators

Schaefer Silvey—2

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—None

President Pro Tem Dempsey assumed the Chair.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 12**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 51—Small Business, Insurance and Industry.

SB 52—Small Business, Insurance and Industry.

SB 53—General Laws and Pensions.

SB 54—Agriculture, Food Production and Outdoor Resources.

SB 55—Agriculture, Food Production and Outdoor Resources.

SB 56—Agriculture, Food Production and Outdoor Resources.

SB 57—Ways and Means.

SB 58—Governmental Accountability and Fiscal Oversight.

SB 59—Financial and Governmental Organizations and Elections.

SB 60—Judiciary and Civil and Criminal Jurisprudence.

SB 61—Education.

SB 62—Judiciary and Civil and Criminal Jurisprudence.

SB 63—Transportation, Infrastructure and Public Safety.

SB 64—Education.

SB 65—Education.

SB 66—Judiciary and Civil and Criminal Jurisprudence.

SB 67—Judiciary and Civil and Criminal Jurisprudence.

SB 68—Jobs, Economic Development and Local Government.

SB 69—Financial and Governmental Organizations and Elections.

SB 70—Education.

SB 71—Education.

SB 72—Jobs, Economic Development and Local Government.

SB 73—Ways and Means.

SB 74—Commerce, Consumer Protection, Energy and the Environment.

SB 75—Commerce, Consumer Protection, Energy and the Environment.

SB 76—Judiciary and Civil and Criminal Jurisprudence.

SB 77—Ways and Means.

SB 78—Small Business, Insurance and Industry.

SB 79—Judiciary and Civil and Criminal Jurisprudence.

SB 80—Judiciary and Civil and Criminal Jurisprudence.

SB 81—Judiciary and Civil and Criminal Jurisprudence.

SB 82—Seniors, Families and Children.

SB 83—Governmental Accountability and Fiscal Oversight.

SB 84—Education.

SB 86—Judiciary and Civil and Criminal Jurisprudence.

SB 87—Jobs, Economic Development and Local Government.

SB 88—Financial and Governmental Organizations and Elections.

SB 89—Small Business, Insurance and Industry.

SB 90—Veterans' Affairs and Health.

SB 91—Judiciary and Civil and Criminal Jurisprudence.

SB 92—Jobs, Economic Development and Local Government.

SB 93—Education.

SB 94—General Laws and Pensions.

SB 95—Financial and Governmental Organizations and Elections.

SB 96—Rules, Joint Rules, Resolutions and Ethics.

SB 97—Rules, Joint Rules, Resolutions and Ethics.

SB 98—Ways and Means.

SB 99—Judiciary and Civil and Criminal Jurisprudence.

SB 100—Judiciary and Civil and Criminal Jurisprudence.

SB 101—Jobs, Economic Development and Local Government.

SB 102—Governmental Accountability and Fiscal Oversight.

SB 103—Financial and Governmental Organizations and Elections.

SB 104—Financial and Governmental Organizations and Elections.

SB 105—Financial and Governmental Organizations and Elections.

SB 106—Small Business, Insurance and Industry.

SB 107—Financial and Governmental Organizations and Elections.

SB 109—Judiciary and Civil and Criminal Jurisprudence.

SB 110—Education.

SB 111—Transportation, Infrastructure and Public Safety.

SB 112—Judiciary and Civil and Criminal Jurisprudence.

SB 113—Education.

SB 114—Jobs, Economic Development and Local Government.

SB 115—Ways and Means.

SB 116—Education.

SB 117—Financial and Governmental Organizations and Elections.

SB 118—Veterans' Affairs and Health.

SB 119—Veterans' Affairs and Health.

SB 120—Transportation, Infrastructure and Public Safety.

SB 121—Jobs, Economic Development and Local Government.

SB 122—Veterans' Affairs and Health.

SB 123—Rules, Joint Rules, Resolutions and Ethics.

SB 124—Rules, Joint Rules, Resolutions and Ethics.

SB 125—Veterans' Affairs and Health.

- SB 126**—Small Business, Insurance and Industry.
- SB 127**—Small Business, Insurance and Industry.
- SB 128**—Small Business, Insurance and Industry.
- SB 129**—Small Business, Insurance and Industry.
- SB 130**—Small Business, Insurance and Industry.
- SB 131**—Transportation, Infrastructure and Public Safety.
- SB 132**—Agriculture, Food Production and Outdoor Resources.
- SB 133**—Agriculture, Food Production and Outdoor Resources.
- SB 134**—Rules, Joint Rules, Resolutions and Ethics.
- SB 135**—Transportation, Infrastructure and Public Safety.
- SB 136**—Financial and Governmental Organizations and Elections.
- SB 137**—Agriculture, Food Production and Outdoor Resources.
- SB 138**—Agriculture, Food Production and Outdoor Resources.
- SB 139**—Agriculture, Food Production and Outdoor Resources.
- SB 140**—Small Business, Insurance and Industry.
- SB 141**—Judiciary and Civil and Criminal Jurisprudence.
- SB 142**—Commerce, Consumer Protection, Energy and the Environment.
- SB 143**—Judiciary and Civil and Criminal Jurisprudence.
- SB 144**—Small Business, Insurance and Industry.
- SB 145**—Small Business, Insurance and Industry.
- SB 146**—Financial and Governmental Organizations and Elections.
- SB 147**—Rules, Joint Rules, Resolutions and Ethics.
- SB 148**—Agriculture, Food Production and Outdoor Resources.
- SB 149**—Ways and Means.
- SB 150**—Transportation, Infrastructure and Public Safety.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the escort committee pursuant to **HCR 1** should have been Conway (104) not Conway (10).

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

HCS for HCRs 4 & 3—Rules, Joint Rules, Resolutions and Ethics.

REFERRALS

President Pro Tem Dempsey referred **SCR 10** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

January 22, 2015

Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

In accordance with Section 21.795, RSMo, I am appointing the following to the Joint Committee on Transportation Oversight:

Senator Doug Libla
Senator Dave Schatz
Senator Bob Dixon
Senator Mike Kehoe
Senator Brian Munzlinger

If you have any questions, please do not hesitate to contact me.

Sincerely,



Tom Dempsey

Senator Keaveny submitted the following:


January 22, 2015

Adriane Crouse – Secretary of the Senate
State Capitol, Room 325
Jefferson City, Missouri 65101

Dear Adriane:

Pursuant to the authority I have as minority floor leader under section 21.795 RSMo, I hereby appoint Senator Maria Chappelle-Nadal and Senator Kiki Curls to the Joint Committee on Transportation Oversight.

Sincerely,



Joseph P. Keaveny

RESOLUTIONS

Senator Sater offered Senate Resolution No. 133, regarding Sharon Kleine, Mt. Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 134, regarding the Sixtieth Wedding Anniversary of Marvin and Joan Hahn, Kimberling City, which was adopted.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, January 26, 2015.

SENATE CALENDAR

TENTH DAY—MONDAY, JANUARY 26, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 151-Sater	SB 176-Schmitt
SB 152-Wallingford	SB 177-Munzlinger
SB 153-Wallingford	SB 178-Munzlinger
SB 154-Wallingford	SB 179-Sater
SB 155-Nasheed	SB 180-Chappelle-Nadal
SB 156-Nasheed	SB 181-Curls
SB 157-Wallingford	SB 182-Curls
SB 158-Schaefer	SB 183-Curls
SB 159-Parson	SB 184-LeVota
SB 160-Brown	SB 185-LeVota
SB 161-Nasheed	SB 186-Curls
SB 162-Nasheed	SB 187-Curls
SB 163-Nasheed	SB 188-Curls
SB 164-Sifton	SB 189-Curls
SB 165-Nasheed	SB 190-Curls
SB 166-Nasheed	SB 191-Curls
SB 167-Schaaf	SB 192-Munzlinger
SB 168-Munzlinger	SB 193-LeVota
SB 169-Schaaf	SB 194-Richard and Holsman
SB 170-Kraus	SB 195-Schmitt
SB 171-Romine	SB 196-Schaaf
SB 172-Romine	SB 197-Brown
SB 173-Romine	SB 198-Brown
SB 174-Schmitt	SB 199-Dixon
SB 175-Schmitt	SB 200-Dixon

SB 201-Dixon	SB 241-Keaveny
SB 202-Dixon	SB 242-Dixon
SB 203-Dixon	SB 243-Schmitt
SB 204-Parson	SB 244-Schmitt
SB 205-Parson	SB 245-Hegeman
SB 206-Parson	SB 246-Hegeman
SB 207-Pearce	SB 247-Sifton
SB 208-Sater	SB 248-Schaefer
SB 209-Sater	SB 249-Holsman
SB 210-Schaefer	SB 250-Onder
SB 211-Walsh and Dixon	SB 251-Onder
SB 212-Walsh	SB 252-Romine
SB 213-Wallingford	SB 253-Romine
SB 214-Pearce	SB 254-Kraus
SB 215-Nasheed	SB 255-Schaaf and Holsman
SB 216-Keaveny	SB 256-Sater and Nasheed
SB 217-Riddle	SB 257-Sater
SB 218-Riddle	SB 258-Wallingford
SB 219-Wallingford	SB 259-Wallingford
SB 220-Kehoe	SB 260-Schaefer
SB 221-Schatz	SB 261-Schaefer
SB 222-Schatz	SB 262-Schaefer
SB 223-Schatz	SB 263-Schaefer
SB 224-Romine and Dixon	SB 264-Schaefer
SB 225-Romine	SB 265-Schaefer
SB 226-Emery	SB 266-Schaefer
SB 227-Emery	SB 267-Schaefer
SB 228-Curls	SB 268-Pearce
SB 229-Curls	SB 269-Nasheed
SB 230-Romine	SB 270-Nasheed
SB 231-Kehoe	SB 271-Silvey
SB 232-Kehoe	SB 272-Riddle, et al
SB 233-Kehoe	SB 273-Riddle
SB 234-Kehoe	SB 274-Schupp
SB 235-Dixon	SB 275-Schupp
SB 236-Keaveny	SB 276-Walsh
SB 237-Keaveny, et al	SB 277-Walsh
SB 238-LeVota	SB 278-Schatz
SB 239-Brown	SB 279-Brown
SB 240-Keaveny and Schaaf	SB 280-Keaveny

SB 281-Silvey	SB 296-Schaaf
SB 282-Parson	SB 297-Holsman
SB 283-Kehoe	SB 298-Kraus
SB 284-Munzlinger	SB 299-Pearce
SB 285-Kehoe	SJR 1-Munzlinger
SB 286-Schaaf	SJR 2-Dixon
SB 287-Silvey	SJR 3-Chappelle-Nadal
SB 288-Schatz	SJR 4-Emery
SB 289-Schatz	SJR 5-Kraus
SB 290-Schaefer	SJR 6-Curls
SB 291-Cunningham	SJR 7-Richard and Wallingford
SB 292-Munzlinger	SJR 8-Schmitt
SB 293-Parson	SJR 9-Schmitt
SB 294-Schaaf	SJR 10-Sater
SB 295-Schaaf	SJR 11-Emery

SENATE BILLS FOR PERFECTION

SB 12-Munzlinger, with SCS

INFORMAL CALENDAR

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

✓

Journal of the Senate

FIRST REGULAR SESSION

TENTH DAY—MONDAY, JANUARY 26, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“On the day I called, you answered me, you increased my strength of soul.” (Psalm 138:3)

Like the psalmist we call upon You, O Lord, for strength to deal with the demands that are on us this week, to persist when it is easy to procrastinate, and to push forward in new relationships when it is easier to be alone. So answer our petitions and help us to see ourselves and others as valued in Your eyes so we may be better able to walk with them the path that You require, O Lord. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 22, 2015 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 135, regarding Shatto Milk Company, Osborn, which was adopted.

Senator Hegeman offered Senate Resolution No. 136, regarding Maycie Mayfield, Trenton, which was adopted.

Senator Hegeman offered Senate Resolution No. 137, regarding Maddie Enright, Princeton, which was adopted.

Senator Hegeman offered Senate Resolution No. 138, regarding Elizabeth Miller, Princeton, which was adopted.

Senator Hegeman offered Senate Resolution No. 139, regarding Joshua Schoonover, Princeton, which was adopted.

Senator Sifton offered Senate Resolution No. 140, regarding J W Fuller Construction, LLC, Brentwood, which was adopted.

Senator Sifton offered Senate Resolution No. 141, regarding David Joseph Mueller, Saint Louis, which was adopted.

Senator Wallingford offered Senate Resolution No. 142, regarding Major Custom Cable, Incorporated, Jackson, which was adopted.

Senator Kehoe offered Senate Resolution No. 143, regarding STI Technology Solutions, Inc., Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 144, regarding Barb Crowder, Eldon, which was adopted.

Senator Kehoe offered Senate Resolution No. 145, regarding Randy E. Manville, Flower Mount, Texas, which was adopted.

Senator Onder offered Senate Resolution No. 146, regarding Drake Arthur Kamp, Augusta, which was adopted.

Senator Emery offered Senate Resolution No. 147, regarding Downtown Peculiar Arts and Culture District, which was adopted.

Senator Sater offered Senate Resolution No. 148, regarding Dona Lewis, Hurley, which was adopted.

Senator Sater offered Senate Resolution No. 149, regarding Henry Grider, Aurora, which was adopted.

Senator Wallingford offered Senate Resolution No. 150, regarding Annie Laurie's Antiques, LLC, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 151, regarding Paula Myers, which was adopted.

Senator Wallingford offered Senate Resolution No. 152, regarding Jay B. Knudtson, Cape Girardeau, which was adopted.

Senator Schaefer offered Senate Resolution No. 153, regarding Logan Matthew Rodgers, Columbia,

which was adopted.

Senator Schaefer offered Senate Resolution No. 154, regarding Logan Ryan Garton, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 155, regarding Andrew Thomas Cunningham, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 156, regarding Weaver Manufacturing, Incorporated, Columbia, which was adopted.

Senator Schmitt offered Senate Resolution No. 157, regarding Mercury Communications, Incorporated, Fenton, which was adopted.

Senator Schmitt offered Senate Resolution No. 158, regarding Ellen O'Brien, which was adopted.

Senator Schmitt offered Senate Resolution No. 159, regarding James Gura, which was adopted.

Senator Schmitt offered Senate Resolution No. 160, regarding Joseph T. Walsh, which was adopted.

Senator Schmitt offered Senate Resolution No. 161, regarding Scott Mosby, which was adopted.

Senator Sater offered Senate Resolution No. 162, regarding Branson Travel Office, which was adopted.

Senator Sater offered Senate Resolution No. 163, regarding the Ninety-second Birthday of Hazel Murray, Crane, which was adopted.

Senator Sater offered Senate Resolution No. 164, regarding the Ninety-fifth Birthday of Georgia Washam, Miller, which was adopted.

Senator Sater offered Senate Resolution No. 165, regarding the Clifford Thornton Family, which was adopted.

Senator Sifton offered Senate Resolution No. 166, regarding Douglas "Doug" Kullman, St. Louis, which was adopted.

Senator Kraus offered Senate Resolution No. 167, regarding Dylan Ray Gunderson, Grain Valley, which was adopted.

Senator Kraus offered Senate Resolution No. 168, regarding John Ryan Cross, Oak Grove, which was adopted.

Senator Dixon offered Senate Resolution No. 169, regarding Amanda Morrison, Springfield, which was adopted.

Senator Brown offered Senate Resolution No. 170, regarding Albion Seth "Al" Hayman, Salem, which was adopted.

Senator Hegeman offered Senate Resolution No. 171, regarding the One Hundredth Birthday of Ruth Allen, Burlington Junction, which was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 172

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Senate has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

WHEREAS, the Missouri Catholic Conference has as its purposes to promote the material and spiritual well being of all the people of the state of Missouri and to participate in the democratic process of government:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-eighth General Assembly, that the Missouri Catholic Conference be hereby granted permission to use the Senate Chamber and the Senate Hearing Rooms from 7:00 a.m. to 5:00 p.m. on Saturday, October 3, 2015, for the purpose of a citizens assembly and workshops.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 172** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 172** was adopted.

Senator Holsman offered Senate Resolution No. 173, regarding Paul Mesner, Kansas City, which was adopted.

Senator LeVota offered Senate Resolution No. 174, regarding Shirley Baker, which was adopted.

Senator LeVota offered Senate Resolution No. 175, regarding Katharine Moseley, Independence, which was adopted.

CONCURRENT RESOLUTIONS

Senator Schmitt offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 11

Whereas, a college education provides students with a significant advantage in achieving the American dream; and

Whereas, individuals with higher levels of education regularly benefit from lower unemployment, better jobs, increased chances for career advancement, and higher earning potential; and

Whereas, college graduates age 25 and over earn nearly twice as much as workers who stopped with a high school diploma; and

Whereas, the median earnings gap of graduates of a four-year college versus high school graduates has been increasing since the 1970's and continues to increase; and

Whereas, the pathway to a better life goes directly through college, but only if college is affordable for the student and the family; and

Whereas, the cost of a college education has increased twelve-fold over the last thirty years; and

Whereas, in 2012 63% of students graduating from a four-year institution in Missouri had student loan debt; and

Whereas, the average student loan debt for students graduating from a four-year institution in Missouri in 2012 was over \$24,000; and

Whereas, nearly 99,000 Missourians are currently making student loan payments; and

Whereas, 12.6% of students default on their student loan payments; and

Whereas, individuals who are not making student loan payments will be more active participants in a free-market economy; and

Whereas, 529 plans are a powerful investment tool for families and individuals to save funds for their children's future education expenses; and

Whereas, 529 plans are used as the "Pathway to College" for individuals who could not otherwise attend college; and

Whereas, 529 plans are readily available to any Missouri citizen; and

Whereas, minimum contributions can be as little as \$10, making it accessible for any person to save a little at a time, which will add up significantly once the student enters college; and

Whereas, by saving for college through a 529 plan, families can reduce their reliance on student loans, earn interest instead of paying interest and help their student leave college debt-free; and

Whereas, 529 plans can be used at almost any college or university in the country, giving every student the opportunity to attend the school that fits their needs; and

Whereas, 529 plans are an attractive investment tool because the funds invested grow deferred from federal and state taxation; and

Whereas, families which save with 529 plans can save an average of \$15,000 more over a 18-year period than if they were to save through a taxable account; and

Whereas, the number of 529 plans accounts have increased by over 700% since 2001, when qualified distributions became tax-free; and

Whereas, the President of the United States has proposed a budget which would tax earnings accrued from a 529 plan, thus hindering students' chances of fulfilling the American dream:

Now, Therefore, Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress to not remove the tax-deferred treatment of 529 college savings plans; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for each member of Missouri's Congressional delegation.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 300—By Silvey.

An Act to repeal sections 86.1270 and 86.1630, RSMo, and to enact in lieu thereof two new sections relating to the election by nonspouse beneficiaries to rollover eligible distributions.

SB 301—By Silvey.

An Act to repeal 191.411, 191.1056, 197.305, 197.310, 197.315, 197.330, 208.010, 208.080, 208.151, 208.647, 208.650, 208.655, 208.657, 208.658, 208.659, 208.670, 208.950, 208.952, 208.955, 208.975, 208.985, 208.990, and 208.991, RSMo, and to enact in lieu thereof thirty-three new sections relating to public assistance, with penalty provisions.

SB 302—By Riddle.

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to out of state abortion referrals.

SB 303—By Keaveny.

An Act to amend chapter 491, RSMo, by adding thereto one new section relating to eyewitness identification procedures, with an effective date.

SB 304—By Keaveny.

An Act to repeal section 590.700 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof one new section relating to custodial interrogations.

SB 305—By Onder.

An Act to repeal section 153.030, RSMo, and to enact in lieu thereof one new section relating to property taxation of telephone companies.

SB 306—By Onder.

An Act to amend chapter 188, RSMo, by adding thereto six new sections relating to regulation of economic incentives.

SB 307—By Curls.

An Act to repeal section 610.140, RSMo, and to enact in lieu thereof one new section relating to expungement of records.

SB 308—By Curls.

An Act to repeal section 67.399, RSMo, and to enact in lieu thereof one new section relating to Kansas City housing ordinances.

SB 309—By Curls.

An Act to repeal section 535.300, RSMo, and to enact in lieu thereof one new section relating to security deposits held by landlords.

SB 310—By Emery.

An Act to amend chapter 393, RSMo, by adding thereto one new section relating to cost recovery for electrical corporations.

SB 311—By Emery.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to religious student groups at public institutions of higher education.

SB 312—By Schmitt.

An Act to amend chapter 311, RSMo, by adding thereto one new section relating to persons licensed to sell intoxicating liquor in the original package at retail.

SB 313—By Wallingford.

An Act to repeal sections 195.070 and 334.104, RSMo, and to enact in lieu thereof two new sections relating to controlled substances prescribed by advanced practice registered nurses.

SB 314—By Wallingford.

An Act to amend chapter 137, RSMo, by adding thereto one new section relating to property taxation of short term rental merchandise.

SB 315—By Dixon.

An Act to repeal section 162.481, RSMo, and to enact in lieu thereof one new section relating to urban school districts.

SB 316—By Brown.

An Act to repeal section 376.1235, RSMo, and to enact in lieu thereof one new section relating to insurance coverage for occupational therapy services.

SB 317—By Brown.

An Act to authorize the conveyance by the governor of property owned by the state of Missouri to the state highways and transportation commission.

SB 318—By Cunningham and Libla.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

SB 319—By Schaaf.

An Act to repeal section 67.657, RSMo, and to enact in lieu thereof one new section relating to extension of existing bonds.

SJR 12—By Onder.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, by adding thereto one new section relating to parental rights.

SENATE BILLS FOR PERFECTION

Senator Munzlinger moved that **SB 12**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 12**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 12**

An Act to repeal sections 275.352, 277.040, 281.065, 304.180, 442.571, and 537.325, RSMo, and to enact in lieu thereof thirteen new sections relating to agriculture.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 12** be adopted.

Senator Munzlinger offered **SS** for **SCS** for **SB 12**, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 12**

An Act to repeal sections 262.900, 275.352, 277.040, 281.065, 304.180, 442.571, and 537.325, RSMo, and to enact in lieu thereof fourteen new sections relating to agriculture.

Senator Munzlinger moved that **SS** for **SCS** for **SB 12** be adopted.

Senator Pearce assumed the Chair.

Senator Schmitt offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 12, Page 30, Section 414.300, Line 9 of said page, by striking the following: “renewable fuels and” and further amend line 10 of said page, by inserting immediately after the word “pumps” the following: “**dispensing motor fuel containing greater than ten percent ethanol**”.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Nasheed offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 12, Page 1, Section A, Line 6, by inserting immediately after all of said line the following:

“196.1150. 1. Beginning September 1, 2017, all meat and fish produced in this state that is genetically modified and sold in this state for human consumption shall bear on its label a statement indicating that it is genetically modified.

2. For the purposes of this section, “genetically modified” shall mean any animal or fish whose genetic structure has been altered at the molecular level by means that are not possible under natural conditions or processes, including recombinant DNA and RNA techniques, cell fusion, gene deletion or doubling, introduction of exogenous genetic material, alteration of the position of a gene, or similar procedure. The progeny of a genetically modified animal or fish shall be considered genetically modified.

3. Violations of this section shall be a class C misdemeanor. Each transaction shall be considered a separate violation.

4. The penalty in this section shall not apply to animals or fish that have been raised without the knowing and intentional use of genetic modification. Animals or fish shall be deemed to comply with this section if the person otherwise responsible for complying with the requirements of this section obtains from whoever sold the animals or fish a sworn statement that the animals or fish have not been knowingly or intentionally genetically modified.

5. The department of agriculture may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion failed.

Senator Munzlinger moved that **SS for SCS for SB 12**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS for SCS for SB 12**, as amended, was declared perfected and ordered printed.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 26, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Larry D. Hale as a member of the Missouri Gaming Commission, submitted to you on January 7, 2015. Line 4 should be amended to read:

term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 26, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Brian Jamison as a member of the Missouri Gaming Commission, submitted to you on January 7, 2015. Line 4 should be amended to read:

Merritt, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above addendums to the Committee on Gubernatorial Appointments.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

January 22, 2015

The Honorable Tom Dempsey
Missouri Senate, President Pro Tem
State Capitol, Room 326
Jefferson City, MO 65101

Mr. President:

Please consider this letter to be my resignation from the Joint Committee on Administrative Rules.

Thank you for your time and consideration of this matter.

Respectfully,



Bob Dixon
State Senator
30th District

Also,

January 26, 2015


Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse,

Please be advised that I am appointing Senators Jill Schupp and Jeanie Riddle to the Missouri Children's Services Commission.

Please don't hesitate to contact my office if you have any questions.

Sincerely,



Tom Dempsey
President Pro Tempore

INTRODUCTIONS OF GUESTS

On behalf of Senator Cunningham and himself, Senator Libla introduced to the Senate, Billy and Nancy Yates and their son, Grayson, Nashville, Tennessee; and Bill and Norma Yates, Doniphan.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

ELEVENTH DAY—TUESDAY, JANUARY 27, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 151-Sater
SB 152-Wallingford
SB 153-Wallingford
SB 154-Wallingford
SB 155-Nasheed
SB 156-Nasheed
SB 157-Wallingford
SB 158-Schaefer
SB 159-Parson
SB 160-Brown
SB 161-Nasheed
SB 162-Nasheed

SB 163-Nasheed
SB 164-Sifton
SB 165-Nasheed
SB 166-Nasheed
SB 167-Schaaf
SB 168-Munzlinger
SB 169-Schaaf
SB 170-Kraus
SB 171-Romine
SB 172-Romine
SB 173-Romine
SB 174-Schmitt

SB 175-Schmitt	SB 215-Nasheed
SB 176-Schmitt	SB 216-Keaveny
SB 177-Munzlinger	SB 217-Riddle
SB 178-Munzlinger	SB 218-Riddle
SB 179-Sater	SB 219-Wallingford
SB 180-Chappelle-Nadal	SB 220-Kehoe
SB 181-Curls	SB 221-Schatz
SB 182-Curls	SB 222-Schatz
SB 183-Curls	SB 223-Schatz
SB 184-LeVota	SB 224-Romine and Dixon
SB 185-LeVota	SB 225-Romine
SB 186-Curls	SB 226-Emery
SB 187-Curls	SB 227-Emery
SB 188-Curls	SB 228-Curls
SB 189-Curls	SB 229-Curls
SB 190-Curls	SB 230-Romine
SB 191-Curls	SB 231-Kehoe
SB 192-Munzlinger	SB 232-Kehoe
SB 193-LeVota	SB 233-Kehoe
SB 194-Richard and Holsman	SB 234-Kehoe
SB 195-Schmitt	SB 235-Dixon
SB 196-Schaaf	SB 236-Keaveny
SB 197-Brown	SB 237-Keaveny, et al
SB 198-Brown	SB 238-LeVota
SB 199-Dixon	SB 239-Brown
SB 200-Dixon	SB 240-Keaveny and Schaaf
SB 201-Dixon	SB 241-Keaveny
SB 202-Dixon	SB 242-Dixon
SB 203-Dixon	SB 243-Schmitt
SB 204-Parson	SB 244-Schmitt
SB 205-Parson	SB 245-Hegeman
SB 206-Parson	SB 246-Hegeman
SB 207-Pearce	SB 247-Sifton
SB 208-Sater	SB 248-Schaefer
SB 209-Sater	SB 249-Holsman
SB 210-Schaefer	SB 250-Onder
SB 211-Walsh and Dixon	SB 251-Onder
SB 212-Walsh	SB 252-Romine
SB 213-Wallingford	SB 253-Romine
SB 214-Pearce	SB 254-Kraus

SB 255-Schaaf and Holsman	SB 294-Schaaf
SB 256-Sater and Nasheed	SB 295-Schaaf
SB 257-Sater	SB 296-Schaaf
SB 258-Wallingford	SB 297-Holsman
SB 259-Wallingford	SB 298-Kraus
SB 260-Schaefer	SB 299-Pearce
SB 261-Schaefer	SB 300-Silvey
SB 262-Schaefer	SB 301-Silvey
SB 263-Schaefer	SB 302-Riddle
SB 264-Schaefer	SB 303-Keaveny
SB 265-Schaefer	SB 304-Keaveny
SB 266-Schaefer	SB 305-Onder
SB 267-Schaefer	SB 306-Onder
SB 268-Pearce	SB 307-Curls
SB 269-Nasheed	SB 308-Curls
SB 270-Nasheed	SB 309-Curls
SB 271-Silvey	SB 310-Emery
SB 272-Riddle, et al	SB 311-Emery
SB 273-Riddle	SB 312-Schmitt
SB 274-Schupp	SB 313-Wallingford
SB 275-Schupp	SB 314-Wallingford
SB 276-Walsh	SB 315-Dixon
SB 277-Walsh	SB 316-Brown
SB 278-Schatz	SB 317-Brown
SB 279-Brown	SB 318-Cunningham and Libla
SB 280-Keaveny	SB 319-Schaaf
SB 281-Silvey	SJR 1-Munzlinger
SB 282-Parson	SJR 2-Dixon
SB 283-Kehoe	SJR 3-Chappelle-Nadal
SB 284-Munzlinger	SJR 4-Emery
SB 285-Kehoe	SJR 5-Kraus
SB 286-Schaaf	SJR 6-Curls
SB 287-Silvey	SJR 7-Richard and Wallingford
SB 288-Schatz	SJR 8-Schmitt
SB 289-Schatz	SJR 9-Schmitt
SB 290-Schaefer	SJR 10-Sater
SB 291-Cunningham	SJR 11-Emery
SB 292-Munzlinger	SJR 12-Onder
SB 293-Parson	

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 11-Schmitt

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

✓

Journal of the Senate

FIRST REGULAR SESSION

ELEVENTH DAY—TUESDAY, JANUARY 27, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Be to me a rock of refuge, a strong fortress, to save me, for you are my rock and my fortress.” (Psalm 71:3)

Almighty God, we seek to rest in Your great strength, counting on You at times of distress and fear that we will know what is most important in Your eyes and how we may be a witness and standard before others. Help us this day to seek You as our rock and fortress of strength, so we may be strong in our faithfulness and commitment to accomplish what You require of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 176, regarding the US International Foods, LLC, Saint Louis, which was adopted.

Senator Riddle offered Senate Resolution No. 177, regarding the One Hundredth Birthday of Hazel Riley, Mexico, which was adopted.

Senator Schaefer offered Senate Resolution No. 178, regarding Sonya Hu, Columbia, which was adopted.

The Senate observed a moment of silence for Officer Aaron Pearson of the Springfield Police Department.

Senator Pearce assumed the Chair.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 320—By Wallingford.

An Act to repeal sections 211.033, 211.071, and 221.044, RSMo, and to enact in lieu thereof three new sections relating to the detention of persons under the age of seventeen in adult facilities.

SB 321—By Hegeman.

An Act to amend chapter 589, RSMo, by adding thereto one new section relating to the offense of unlawful contact with a victim of a sexual offense, with penalty provisions.

SB 322—By Dempsey.

An Act to repeal section 208.010, RSMo, and to enact in lieu thereof one new section relating to public assistance.

SB 323—By Munzlinger.

An Act to repeal sections 77.060, 77.230, 79.070, 79.080, and 79.250, RSMo, and to enact in lieu thereof five new sections relating to residency qualifications for candidates in certain cities.

SB 324—By Munzlinger.

An Act to repeal section 537.296, RSMo, and to enact in lieu thereof one new section relating to private nuisance actions.

SB 325—By Sater.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to pharmacy benefit managers.

SB 326—By Sater.

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to the authority for counties to decrease their budgets.

SB 327—By Onder.

An Act to repeal section 302.341, RSMo, and to enact in lieu thereof two new sections relating to municipal courts.

SB 328—By Schupp.

An Act to amend chapter 170, RSMo, by adding thereto two new sections relating to youth suicide

awareness and prevention education.

SB 329—By Schupp.

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to mandatory influenza vaccinations.

SB 330—By Parson.

An Act to repeal section 8.420, RSMo, and to enact in lieu thereof one new section relating to revenue bonds.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HCRs 4** and **3**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 12**, begs leave to report that it has considered the same and recommends that the bill do pass.

REFERRALS

President Pro Tem Dempsey referred **SCR 11** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Dempsey referred **SS** for **SCS** for **SB 12** to the Committee on Governmental Accountability and Fiscal Oversight.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

January 27, 2015

Adriane Crouse

Secretary of the Senate

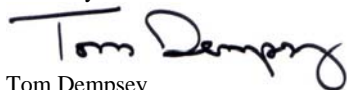
State Capitol Building

Jefferson City, MO 65101

Dear Ms. Crouse,

I hereby appoint Sen. Wieland to the Joint Committee on Education. If you have any questions, please don't hesitate to contact my office.

Sincerely



Tom Dempsey

President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Schupp introduced to the Senate, Katie Walkley, Truman State University, Kirksville.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

TWELFTH DAY–WEDNESDAY, JANUARY 28, 2015

FORMAL CALENDAR**SECOND READING OF SENATE BILLS**

SB 151-Sater	SB 177-Munzlinger
SB 152-Wallingford	SB 178-Munzlinger
SB 153-Wallingford	SB 179-Sater
SB 154-Wallingford	SB 180-Chappelle-Nadal
SB 155-Nasheed	SB 181-Curls
SB 156-Nasheed	SB 182-Curls
SB 157-Wallingford	SB 183-Curls
SB 158-Schaefer	SB 184-LeVota
SB 159-Parson	SB 185-LeVota
SB 160-Brown	SB 186-Curls
SB 161-Nasheed	SB 187-Curls
SB 162-Nasheed	SB 188-Curls
SB 163-Nasheed	SB 189-Curls
SB 164-Sifton	SB 190-Curls
SB 165-Nasheed	SB 191-Curls
SB 166-Nasheed	SB 192-Munzlinger
SB 167-Schaaf	SB 193-LeVota
SB 168-Munzlinger	SB 194-Richard and Holsman
SB 169-Schaaf	SB 195-Schmitt
SB 170-Kraus	SB 196-Schaaf
SB 171-Romine	SB 197-Brown
SB 172-Romine	SB 198-Brown
SB 173-Romine	SB 199-Dixon
SB 174-Schmitt	SB 200-Dixon
SB 175-Schmitt	SB 201-Dixon
SB 176-Schmitt	SB 202-Dixon

SB 203-Dixon	SB 248-Schaefer
SB 204-Parson	SB 249-Holsman
SB 205-Parson	SB 250-Onder
SB 206-Parson	SB 251-Onder
SB 207-Pearce	SB 252-Romine
SB 208-Sater	SB 253-Romine
SB 209-Sater	SB 254-Kraus
SB 210-Schaefer	SB 255-Schaaf and Holsman
SB 211-Walsh and Dixon	SB 256-Sater and Nasheed
SB 212-Walsh	SB 257-Sater
SB 213-Wallingford	SB 258-Wallingford
SB 214-Pearce	SB 259-Wallingford
SB 215-Nasheed	SB 260-Schaefer
SB 216-Keaveny	SB 261-Schaefer
SB 217-Riddle	SB 262-Schaefer
SB 218-Riddle	SB 263-Schaefer
SB 219-Wallingford	SB 264-Schaefer
SB 220-Kehoe	SB 265-Schaefer
SB 221-Schatz	SB 266-Schaefer
SB 222-Schatz	SB 267-Schaefer
SB 223-Schatz	SB 268-Pearce
SB 224-Romine and Dixon	SB 269-Nasheed
SB 225-Romine	SB 270-Nasheed
SB 226-Emery	SB 271-Silvey
SB 227-Emery	SB 272-Riddle, et al
SB 228-Curls	SB 273-Riddle
SB 229-Curls	SB 274-Schupp
SB 230-Romine	SB 275-Schupp
SB 231-Kehoe	SB 276-Walsh
SB 232-Kehoe	SB 277-Walsh
SB 233-Kehoe	SB 278-Schatz
SB 234-Kehoe	SB 279-Brown
SB 235-Dixon	SB 280-Keaveny
SB 236-Keaveny	SB 281-Silvey
SB 237-Keaveny, et al	SB 282-Parson
SB 238-LeVota	SB 283-Kehoe
SB 239-Brown	SB 284-Munzlinger
SB 240-Keaveny and Schaaf	SB 285-Kehoe
SB 241-Keaveny	SB 286-Schaaf
SB 242-Dixon	SB 287-Silvey
SB 243-Schmitt	SB 288-Schatz
SB 244-Schmitt	SB 289-Schatz
SB 245-Hegeman	SB 290-Schaefer
SB 246-Hegeman	SB 291-Cunningham
SB 247-Sifton	SB 292-Munzlinger

SB 293-Parson	SB 318-Cunningham and Libla
SB 294-Schaaf	SB 319-Schaaf
SB 295-Schaaf	SB 320-Wallingford
SB 296-Schaaf	SB 321-Hegeman
SB 297-Holsman	SB 322-Dempsey
SB 298-Kraus	SB 323-Munzlinger
SB 299-Pearce	SB 324-Munzlinger
SB 300-Silvey	SB 325-Sater
SB 301-Silvey	SB 326-Sater
SB 302-Riddle	SB 327-Onder
SB 303-Keaveny	SB 328-Schupp
SB 304-Keaveny	SB 329-Schupp
SB 305-Onder	SB 330-Parson
SB 306-Onder	SJR 1-Munzlinger
SB 307-Curls	SJR 2-Dixon
SB 308-Curls	SJR 3-Chappelle-Nadal
SB 309-Curls	SJR 4-Emery
SB 310-Emery	SJR 5-Kraus
SB 311-Emery	SJR 6-Curls
SB 312-Schmitt	SJR 7-Richard and Wallingford
SB 313-Wallingford	SJR 8-Schmitt
SB 314-Wallingford	SJR 9-Schmitt
SB 315-Dixon	SJR 10-Sater
SB 316-Brown	SJR 11-Emery
SB 317-Brown	SJR 12-Onder

THIRD READING OF SENATE BILLS

SS for SCS for SB 12-Munzlinger
(In Fiscal Oversight)

INFORMAL CALENDAR

RESOLUTIONS

Reported from Committee

HCS for HCRs 4 & 3 (Schaaf)

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

Journal of the Senate

FIRST REGULAR SESSION

TWELFTH DAY—WEDNESDAY, JANUARY 28, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“May you be blessed by the Lord, who made heaven and earth.” (Psalm 115:15)

Gracious Creator, You who made all that exist, You bless us abundantly with earthly gifts and made us stewards of that abundance, so help us as senators to practice good stewardship with the resources of the state and from its abundance provide for those in need, and seek justice and peace for all our people. And, guide us in our private lives, through Your wisdom, to practice personal stewardship that rejoices and sings Your praise for all You provide us and to share with others from our abundance. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Senator Richard requested unanimous consent of the Senate to correct the Senate Journal for Tuesday, January 27, 2015, Page 193, Lines 16-17, to correct the committee report on **SS** for **SCS** for **SB 12**, which request was granted.

The following correction was made to the Senate Journal:

“**SS** for **SCS** for **SB 12**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.”

The Journal of the previous day was read and approved, as corrected.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 179, regarding Rooney Trucking, Incorporated, Polo, which was adopted.

Senator Pearce offered Senate Resolution No. 180, regarding Nathanael D.E. Molina, which was adopted.

Senator Riddle offered Senate Resolution No. 181, regarding Sharon Hicks, New Bloomfield, which was adopted.

Senator Silvey offered Senate Resolution No. 182, regarding Michaela Scarrow, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 183, regarding Ellen Auduong, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 184, regarding Emily McBride, Kansas City, which was adopted.

Senator Parson offered Senate Resolution No. 185, regarding the Class I State Champion Hermitage High School Boys Cross Country Team, which was adopted.

Senator Parson offered Senate Resolution No. 186, regarding former State Representative Stanley Cox, Sedalia, which was adopted.

Senators Nasheed and Chappelle-Nadal offered Senate Resolution No. 187, regarding JL Brown Contracting Services, Inc., St. Louis, which was adopted.

Senator Nasheed offered Senate Resolution No. 188, regarding Accounting Legal and Logistics Solutions, Inc., DBA ALL Solutions, Inc., St. Louis, which was adopted.

Senator Nasheed offered Senate Resolution No. 189, regarding Civil Design, Inc., St. Louis, which was adopted.

Senator Richard offered Senate Resolution No. 190, regarding Phoebe Kathryn Watson, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 191, regarding Quinn Lasley, Carthage, which was adopted.

Senator Richard offered Senate Resolution No. 192, regarding Elijah Paden, Carthage, which was adopted.

Senators Nasheed, Curls and Chappelle-Nadal offered Senate Resolution No. 193, regarding Richard Claxton “Dick” Gregory, which was adopted.

Senator Cunningham offered Senate Resolution No. 194, regarding FMC Transport, Inc., Willow Springs, which was adopted.

Senator Cunningham offered Senate Resolution No. 195, regarding Theodosia Family Medical Clinic, LLC, which was adopted.

Senator Munzlinger offered Senate Resolution No. 196, regarding Darrell Provorse, Shelbina, which was adopted.

Senator Munzlinger offered Senate Resolution No. 197, regarding the Ninetieth Birthday of Kenneth K. Morris, Canton, which was adopted.

Senator Schaefer offered Senate Resolution No. 198, regarding the Class 5 State Champion Battle High School football program, Columbia, which was adopted.

Senator Libla offered Senate Resolution No. 199, regarding Chad Allen, Dexter, which was adopted.

Senators Schaaf, Romine and Dixon offered the following resolution, which was read:

SENATE RESOLUTION NO. 200

Whereas, the citizens of Missouri have already made payments for bonds issued for the construction of the Edward Jones Dome stadium that amount to over twice the original bond issuance, and such payments will continue until 2022; and

Whereas, on January 26, 2015, while testifying before the Missouri Senate Appropriations Committee, Doug Nelson, Commissioner of the Office of Administration, stated that his office's (and therefore the Governor's) interpretation of section 67.657, RSMo, is that such section authorizes the issuance of new bonding for a stadium in the City of St. Louis using existing bonding authority, without the approval of the General Assembly, and that an amount of three hundred and fifty million dollars of such bonding has been discussed; and

Whereas, there is disagreement with any interpretation of section 67.657, RSMo, that such section would allow for the issuance of bonds for a new stadium without the approval of the General Assembly or of the voters; and

Whereas, Missouri's executive branch should never have the authority to independently authorize the issuance of bonds, and by doing so increase the public debt of the citizens of Missouri, without the approval of the General Assembly or of the voters; and

Whereas, should the Governor's office succeed in causing new bonds to be issued for a new stadium, without the approval of the General Assembly, there would be pressure on the General Assembly during the appropriations process to make payments to service such bonds in order to protect the spotless AAA credit rating of the State of Missouri; and

Whereas, any issuer of bonds would be legally required to disclose to potential bond purchasers any information relevant to the servicing of such bonds, including the passage of this Senate Resolution, which is intended to dissuade any such bond issuance or the purchase of such bonds if issued; and

Whereas, the General Assembly cannot make any appropriation without the concurrence of the Senate:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, urge the Governor to not take the unprecedented step of issuing bonds for construction of a new stadium in the City of St. Louis under an interpretation of Section 67.657, RSMo, that such bond issuance does not require the approval of the General Assembly or of the voters; and

Be It Further Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, hereby let it be known that, in spite of any expectation that the Senate, to protect Missouri's credit rating, would naturally concur with a proposed appropriation to service any and all bonds issued, it would be unwise for anyone to expect that the Senate would concur with a proposed appropriation to service bonding that might be issued for the construction of a new sports stadium in the City of St. Louis, should that bond issuance be made without the approval of the General Assembly or of the voters and pursuant to an interpretation of Section 67.657, RSMo, that such bond issuance does not require the approval of the General Assembly; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for distribution to the Governor and to all bonding agencies doing business in the State of Missouri.

CONCURRENT RESOLUTIONS

HCS for HCRs 4 and 3, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NOS. 4 AND 3

Relating to disapproving the recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials.

Was taken up by Senator Schaaf.

Senator Schaaf moved that **HCS** for **HCRs 4** and **3** be read a 3rd time and finally passed.

Senator Dixon assumed the Chair.

At the request of Senator Schaaf, the above motion was withdrawn, which placed the concurrent resolution back on the Calendar.

President Pro Tem Dempsey assumed the Chair.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 331—By Libla.

An Act to amend chapter 590, RSMo, by adding thereto one new section relating to recordings captured by peace officers' cameras.

SB 332—By Nasheed.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the Missouri senior farmers' market nutrition program.

SB 333—By Nasheed.

An Act to repeal sections 595.010 and 595.015, RSMo, and to enact in lieu thereof two new sections relating to crime victims' compensation fund claims.

SB 334—By Nasheed.

An Act to repeal sections 174.030 and 174.310, RSMo, and to enact in lieu thereof two new sections relating to boards of regents of state colleges and universities.

SB 335—By Holsman.

An Act to repeal section 347.048, RSMo, and to enact in lieu thereof one new section relating to property owned by limited liability companies.

SB 336—By Kraus.

An Act to repeal section 143.191, RSMo, and to enact in lieu thereof one new section relating to income tax withholding on tips.

SB 337—By Munzlinger.

An Act to amend chapter 252, RSMo, by adding thereto one new section relating to prohibited conduct by certain executive departments, with penalty provisions.

SB 338—By Munzlinger.

An Act to repeal sections 115.607, 115.609, 115.619, and 115.621, RSMo, and to enact in lieu thereof four new sections relating to political party committees.

SB 339—By Munzlinger.

An Act to repeal section 231.444, RSMo, and to enact in lieu thereof one new section relating to the

special road rock fund.

SB 340—By Pearce.

An Act to repeal section 473.663, RSMo, and to enact in lieu thereof one new section relating to the determination of heirship.

SB 341—By Riddle.

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to juveniles with problem sexual behavior.

SB 342—By Brown.

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to the perinatal advisory council.

SB 343—By Wasson.

An Act to amend chapters 67 and 144, RSMo, by adding thereto two new sections relating to tax incentives for data storage.

SB 344—By Wasson.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the regulation of autocycles.

SB 345—By Wasson.

An Act to repeal sections 361.707, 361.715, 364.030, 364.105, 365.030, 367.140, 367.509, 407.640, and 408.500, RSMo, and to enact in lieu thereof nine new sections relating to licensing fees paid to the director of the division of finance, with an existing penalty provision.

SB 346—By Wasson.

An Act to repeal section 375.534, RSMo, and to enact in lieu thereof two new sections relating to insurance foreign investment.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 8**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 8

Relating to authorization for the issuance of bonds for certain state projects.

Whereas, the General Assembly is desirous of approving the construction, renovation, and maintenance of certain state projects to be funded in part by revenue bonds secured by a pledge of future appropriations to be made by the General Assembly:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the

House of Representatives concurring therein, hereby approve the following projects:

1. Replace a heating loop at the Northeast Correctional Center: \$3,118,097;
2. Replace and abate piping in the Administration Building at the Moberly Correctional Center: \$1,106,906;
3. Demolish old smoke stack in the Old Powerhouse at the Boonville Correctional Center: \$168,312;
4. Replace or repair a chiller unit in the Administration Building at Missouri Eastern Correctional Center: \$163,294;
5. Asbestos abatement in Housing Unit 3 at the Moberly Correctional Center: \$453,000;
6. Replace or repair detention doors at Fulton Reception and Diagnostic Center: \$233,143;
7. Replace or repair exterior lighting at Western Missouri Correctional Center: \$197,660;
8. Replace or repair exterior lighting at Missouri Eastern Correctional Center: \$156,660;
9. Replace or repair exterior lighting at Farmington Correctional Center: \$401,419;
10. Replace or repair perimeter detection system at Algoa Correctional Center: \$638,721;
11. Replace or repair perimeter detection system at Tipton Correctional Center: \$384,150;
12. Tuckpoint Building 14 at Farmington Correctional Center: \$246,541;
13. Replace or repair chillers and HVAC system at Tipton Correctional Center: \$1,228,712;
14. Roof Replacement at Algoa Correctional Center: \$2,544,003;
15. Replace or repair the roof and veneer of the Canteen / Cold Storage Building at Western Reception, Diagnostic and Correctional Center: \$415,943;
16. Kitchen renovation in the Food Service / Dining Building at Boonville Correctional Center: \$2,065,044;
17. Repair EFIS at the Dale M. Thompson / Trails West State School Building: \$286,012;
18. Testing and performing preventative maintenance on the electrical system at various state schools under the Department of Elementary and Secondary Education: \$116,306;
19. Replace fire alarm and public announcement systems at Mapaville State School: \$93,744;
20. Replace windows at Cedar Ridge State School: \$41,184;
21. Renovation of the MHDB Annex Building at Missouri School for the Blind: \$809,588;
22. Roof replacement at College View State School: \$219,265;
23. Replace windows at Rolling Meadows State School: \$118,712;
24. Replace parking lot at Boonslick State School: \$217,981;
25. Replace fire alarm system at H. Kenneth Kirchner State School: \$57,984;
26. Replace fire alarm system and renovate electrical system at E. W. Thompson State School: \$61,485;
27. Replace steamlines at Missouri School for the Deaf: \$112,554;
28. Roof replacement at Missouri School for the Deaf: \$1,324,963;
29. Electrical and fire safety repairs at Greene Valley State School: \$285,226;
30. Upgrade fire alarm and electrical system at Current River State School: \$112,247;
31. Replace fire alarm system at Autumn Hill State School: \$89,286;
32. Replace roof at Boonslick State School: \$265,501;
33. Replace rooftop HVAC units at Mississippi Valley State School: \$287,701;
34. Exterior renovations and electrical improvements to the Coliseum at the Missouri State Fairgrounds: \$1,476,500;
35. Utility upgrades to the west campgrounds at the Missouri State Fairgrounds: \$1,400,000;
36. Repair or replace the fire sprinkler system in the Northwest Regional Youth Center: \$193,157;
37. Replace the kitchen floor in the H Building at Camp Avery Park Camp: \$111,067;

38. Fire safety improvements at Missouri Hills Youth Center: \$304,590;
39. Replace doors, exit stairs, and floors and repair or paint walls and ceilings in Cottage #4 - Maintenance Building at Missouri Hills Youth Center: \$561,888;
40. Replace HVAC and FTC in the Core Building at Fulton Treatment Center: \$249,400;
41. Replace or repair the emergency generator at Camp Avery Park Camp: \$252,445;
42. Repair or replace doors, stairs, floors, windows, walls, ceilings, and foundation of Cottage #7 - Spanish Lake at Missouri Hills Youth Center: \$267,583;
43. Replace roof at W. E. Sears Youth Center: \$136,059;
44. Replace HVAC systems in the School Building at Missouri Hills Youth Center: \$511,610;
45. Replace roofs at Missouri Hills Youth Center: \$560,531;
46. Replace roofs at Fulton Treatment Center: \$240,535;
47. Renovations to Cottage #9 - Twin Rivers at Missouri Hills Youth Center: \$256,056;
48. Building improvements to the Langsford House Building at Langsford House Youth Center: \$251,536;
49. Upgrade HVAC controls in the Guhleman and Hearnese Forensic Centers at Fulton State Hospital: \$1,147,048;
50. Upgrade electrical feeders at Fulton State Hospital: \$959,719;
51. Replace boiler equipment in the Danny Staples Building at Southeast Missouri Mental Health Center: \$211,501;
52. Replace or repair door locksets in the Main Building at St. Louis Psychiatric Rehabilitation Center: \$761,908;
53. Replace or repair a 3-way valve for loop at the Center for Behavioral Medicine in Kansas City: \$290,967;
54. Replace HVAC system in the Main Building at Hawthorn Children's Psychiatric Hospital: \$7,108,290;
55. Replace door security in the Rehabilitation Center at Northwest Missouri Psychiatric Rehabilitation Center: \$94,707;
56. Replace cooling tower for the Rehabilitation Center Building at St. Louis Psychiatric Rehabilitation Center: \$237,000;
57. Upgrade HVAC direct digital controls in the Rehabilitation Center at Northwest Missouri Psychiatric Rehabilitation Center: \$1,543,967;
58. Replace or repair the rooftop units, VAV's and DDC at the Kansas City Regional Office of the Department of Mental Health: \$1,074,224;
59. Replace security gate operations at Fulton State Hospital: \$190,501;
60. Renovate the office area in the Blair Building at Missouri Sexual Offender Treatment Center in Farmington: \$745,501;
61. Replace shingle and flat roof of the Springfield Regional Office of the Department of Mental Health: \$512,796;
62. Replace roofs of Group Homes 1 through 6 at Northwest Missouri Psychiatric Rehabilitation Center: \$128,335;
63. Exterior renovations to the Harry S. Truman State Office Building: \$6,676,294;
64. Upgrade the fire system in the Supreme Court Building: \$579,800;
65. Replace fire alarm system in the Professional Registration Building: \$372,408;
66. Replace fire alarm system in the Howerton State Office Building: \$928,385;
67. Replace or repair the fire alarm system in the Jennings State Office Building: \$159,872;
68. Replace or repair the fire alarm system in the North St. Louis County Service Center: \$152,592;
69. Replace or repair the carbon dioxide fire suppression system in the Petroleum/Octane Laboratory at the George Washington Carver State Office Building: \$154,802;
70. Replace HVAC rooftop units at the St. Louis State Office Building: \$524,160;
71. Replace entrance doors to the Harry S. Truman State Office Building and the Jefferson State Office Building: \$610,950;
72. Install boiler in the Governor's Mansion: \$233,511;
73. Replace boilers and equipment at the Prince Hall Family Support Center: \$891,000;

- 74. Replace or repair the three cell cooling tower at the Fletcher Daniels State Office Building: \$533,560;
- 75. Replace the HVAC rooftop unit at the South St. Louis County Service Center: \$523,998;
- 76. Replace or repair the building automation system at the Landers State Office Building: \$512,702;
- 77. Replace or repair the building automation system at the Penney State Office Building: \$279,467;
- 78. Expand the electrical system at the Harry S. Truman State Office Building: \$290,967;
- 79. Replace or repair nurse call systems, fire alarm systems, HVAC systems, plumbing systems, kitchens, laundries, interior finishes, and exterior finishes of Missouri Veterans Commission veterans homes in Cape Girardeau, St. James, Mexico, and St. Louis: \$14,500,000;
- 80. Repairs or renovations to the State Capitol Building: \$40,000,000;
- 81. Repairs or renovations to the State Capitol Annex: \$35,000,000;

Be It Further Resolved that the members of the Missouri General Assembly hereby approve the following projects at state parks and state historic sites:

- 1. In the Central Region, a total of \$3,208,700 on the following projects:
 - (1) Facility renovation and repair, infrastructure upgrade, and renovation of Civilian Conservation Corps structures at Arrow Rock State Historic Site: \$1,285,000;
 - (2) Infrastructure upgrades at Bothwell Lodge State Historic Site: \$50,000;
 - (3) Infrastructure upgrades at Finger Lakes State Park: \$1,753,700; and
 - (4) Infrastructure upgrades at Van Meter State Park: \$120,000;
- 2. In the Lakes Region, a total of \$14,750,000 on the following projects:
 - (1) Facility renovation and repair, infrastructure upgrade, and renovation of Civilian Conservation Corps structures at Bennett Springs State Park: \$3,480,000;
 - (2) Infrastructure upgrades and renovation of Civilian Conservation Corps structures and related site structures at Lake of the Ozarks State Park: \$6,515,000;
 - (3) Infrastructure upgrades at Pomme de Terre State Park: \$565,000;
 - (4) Facility renovation and repair at Prairie State Park: \$150,000;
 - (5) Infrastructure upgrades and renovation of Civilian Conservation Corps structures at Roaring River State Park: \$3,350,000;
 - (6) Infrastructure upgrades at Stockton State Park: \$160,000; and
 - (7) Infrastructure upgrades at Table Rock State Park: \$530,000;
- 3. In the Northeast Region, a total of \$10,085,000 on the following projects:
 - (1) Infrastructure upgrades at Battle of Athens State Historic Site: \$70,000;
 - (2) Infrastructure upgrades and renovation of Civilian Conservation Corps structures at Crowder State Park: \$785,000;
 - (3) Infrastructure upgrades and renovation of Civilian Conservation Corps structures and related site structures at Cuivre River State Park: \$3,070,000;
 - (4) Infrastructure upgrades at Graham Cave State Park: \$35,000;
 - (5) Infrastructure upgrades and renovation of Civilian Conservation Corps structures at Mark Twain State Park: \$425,000;
 - (6) Facility renovation and repair at Mark Twain Birthplace State Historic Site: \$750,000;
 - (7) Infrastructure upgrades and renovation of Civilian Conservation Corps structures at Pershing State Park: \$545,000;
 - (8) Infrastructure upgrades at Thousand Hills State Park: \$3,360,000;
 - (9) Facility renovation and repair at Union Covered Bridge State Historic Site: \$800,000; and
 - (10) Infrastructure upgrades at Wakonda State Park: \$245,000;
- 4. In the Kansas City Region, a total of \$3,500,000 on the following projects:

- (1) Infrastructure upgrades at Confederate Memorial State Historic Site: \$85,000;
- (2) Infrastructure upgrades and renovation of Civilian Conservation Corps structures and related site structures at Knob Noster State Park: \$2,115,000;
- (3) Infrastructure upgrades and renovation of Civilian Conservation Corps structures at Lewis and Clark State Park: \$360,000;
- (4) Infrastructure upgrades at Wallace State Park: \$140,000; and
- (5) Infrastructure upgrades at Weston Bend State Park: \$800,000;
5. In the Southeast Region, a total of \$7,765,000 on the following projects:
 - (1) Infrastructure upgrades at Fort Davidson / Battle of Pilot Knob State Historic Site: \$100,000;
 - (2) Infrastructure upgrades at Lake Wappapello State Park: \$195,000;
 - (3) Facility renovation and repair, infrastructure upgrade, and renovation of Civilian Conservation Corps structures at Montauk State Park: \$1,825,000;
 - (4) Facility renovation and repair at Onondaga Cave State Park: \$750,000;
 - (5) Facility renovation and repair, infrastructure upgrades, and renovation of Civilian Conservation Corps structures and related sites structures at Sam A. Baker State Park: \$4,490,000; and
 - (6) Infrastructure upgrades at Trail of Tears State Park: \$405,000; and
6. In the St. Louis Region, a total of \$9,775,000 on the following projects:
 - (1) Infrastructure upgrades and renovation of Civilian Conservation Corps structures at Dr. Edmunds A. Babler Memorial State Park: \$4,605,000;
 - (2) Infrastructure upgrades at Castlewood State Park: \$205,000;
 - (3) Infrastructure upgrades at Hawn State Park: \$500,000;
 - (4) Infrastructure upgrades and renovation of Civilian Conservation Corps structures and related site structures at Meramec State Park: \$2,460,000;
 - (5) Facility renovation and repair at Scott Joplin House State Historic Site: \$100,000;
 - (6) Infrastructure upgrades at St. Francois State Park: \$160,000;
 - (7) Infrastructure upgrades at St. Joe State Park: \$195,000; and
 - (8) Infrastructure upgrades, renovation of Civilian Conservation Corps structures and related site structures at Washington State Park: \$1,550,000; and

Be It Further Resolved that amounts not spent on a state park or state historic site project may be expended on other state park or state historic site projects in the same region; and

Be It Further Resolved that the members of the Missouri General Assembly state the intent of the General Assembly, during each fiscal year of the state during the term of such revenue bonds, to appropriate funds sufficient to pay the debt service on such revenue bonds; and

Be It Further Resolved that the members of the Missouri General Assembly authorize and direct the Office of Administration and such other state departments, offices and agencies as the Office of Administration may deem necessary or appropriate to:

1. Assist the staff and advisors of the various state agencies in implementing the projects and in issuing such revenue bonds for the state's share of the project costs; and
 2. Execute and deliver documents and certificates related to such revenue bonds consistent with the terms of this concurrent resolution;
- and

Be It Further Resolved that revenue bonds issued due to the increase of cap amounts in section 8.420 occurring on August 28, 2014, shall only be issued to fund the projects listed in this resolution; and

Be It Further Resolved that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 9**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 1**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 3**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 4**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 5**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 7**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, former State Representative John Quinn, Chillicothe.

Senator Holsman introduced to the Senate, former State Representative Beth Low, and Dr. Rebecca Hierholzer, Kansas City.

Senator Schmitt introduced to the Senate, Reggie Rideout, and her daughter, Maya, Fenton; and Maya was made an honorary page.

Senator Schupp introduced to the Senate, former State Representative and Physician of the Day, Dr. Sam Page, Creve Coeur.

Senator Cunningham introduced to the Senate, Courtney Murphy, Howell County; and Mike Frazier, Marshfield.

Senator Silvey introduced to the Senate, members of Youth with Vision, Clay, Platte and Ray Counties.

Senator Pearce introduced to the Senate, a group of International Students from Wentworth Military

Academy, Lexington.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTEENTH DAY—THURSDAY, JANUARY 29, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 151-Sater	SB 177-Munzlinger
SB 152-Wallingford	SB 178-Munzlinger
SB 153-Wallingford	SB 179-Sater
SB 154-Wallingford	SB 180-Chappelle-Nadal
SB 155-Nasheed	SB 181-Curls
SB 156-Nasheed	SB 182-Curls
SB 157-Wallingford	SB 183-Curls
SB 158-Schaefer	SB 184-LeVota
SB 159-Parson	SB 185-LeVota
SB 160-Brown	SB 186-Curls
SB 161-Nasheed	SB 187-Curls
SB 162-Nasheed	SB 188-Curls
SB 163-Nasheed	SB 189-Curls
SB 164-Sifton	SB 190-Curls
SB 165-Nasheed	SB 191-Curls
SB 166-Nasheed	SB 192-Munzlinger
SB 167-Schaaf	SB 193-LeVota
SB 168-Munzlinger	SB 194-Richard and Holsman
SB 169-Schaaf	SB 195-Schmitt
SB 170-Kraus	SB 196-Schaaf
SB 171-Romine	SB 197-Brown
SB 172-Romine	SB 198-Brown
SB 173-Romine	SB 199-Dixon
SB 174-Schmitt	SB 200-Dixon
SB 175-Schmitt	SB 201-Dixon
SB 176-Schmitt	SB 202-Dixon

SB 203-Dixon	SB 243-Schmitt
SB 204-Parson	SB 244-Schmitt
SB 205-Parson	SB 245-Hegeman
SB 206-Parson	SB 246-Hegeman
SB 207-Pearce	SB 247-Sifton
SB 208-Sater	SB 248-Schaefer
SB 209-Sater	SB 249-Holsman
SB 210-Schaefer	SB 250-Onder
SB 211-Walsh and Dixon	SB 251-Onder
SB 212-Walsh	SB 252-Romine
SB 213-Wallingford	SB 253-Romine
SB 214-Pearce	SB 254-Kraus
SB 215-Nasheed	SB 255-Schaaf and Holsman
SB 216-Keaveny	SB 256-Sater and Nasheed
SB 217-Riddle	SB 257-Sater
SB 218-Riddle	SB 258-Wallingford
SB 219-Wallingford	SB 259-Wallingford
SB 220-Kehoe	SB 260-Schaefer
SB 221-Schatz	SB 261-Schaefer
SB 222-Schatz	SB 262-Schaefer
SB 223-Schatz	SB 263-Schaefer
SB 224-Romine and Dixon	SB 264-Schaefer
SB 225-Romine	SB 265-Schaefer
SB 226-Emery	SB 266-Schaefer
SB 227-Emery	SB 267-Schaefer
SB 228-Curls	SB 268-Pearce
SB 229-Curls	SB 269-Nasheed
SB 230-Romine	SB 270-Nasheed
SB 231-Kehoe	SB 271-Silvey
SB 232-Kehoe	SB 272-Riddle, et al
SB 233-Kehoe	SB 273-Riddle
SB 234-Kehoe	SB 274-Schupp
SB 235-Dixon	SB 275-Schupp
SB 236-Keaveny	SB 276-Walsh
SB 237-Keaveny, et al	SB 277-Walsh
SB 238-LeVota	SB 278-Schatz
SB 239-Brown	SB 279-Brown
SB 240-Keaveny and Schaaf	SB 280-Keaveny
SB 241-Keaveny	SB 281-Silvey
SB 242-Dixon	SB 282-Parson

SB 283-Kehoe	SB 321-Hegeman
SB 284-Munzlinger	SB 322-Dempsey
SB 285-Kehoe	SB 323-Munzlinger
SB 286-Schaaf and Silvey	SB 324-Munzlinger
SB 287-Silvey	SB 325-Sater
SB 288-Schatz	SB 326-Sater
SB 289-Schatz	SB 327-Onder
SB 290-Schaefer	SB 328-Schupp
SB 291-Cunningham	SB 329-Schupp
SB 292-Munzlinger	SB 330-Parson
SB 293-Parson	SB 331-Libla
SB 294-Schaaf	SB 332-Nasheed
SB 295-Schaaf	SB 333-Nasheed
SB 296-Schaaf	SB 334-Nasheed
SB 297-Holsman	SB 335-Holsman
SB 298-Kraus	SB 336-Kraus
SB 299-Pearce	SB 337-Munzlinger
SB 300-Silvey	SB 338-Munzlinger
SB 301-Silvey	SB 339-Munzlinger
SB 302-Riddle	SB 340-Pearce
SB 303-Keaveny	SB 341-Riddle
SB 304-Keaveny	SB 342-Brown
SB 305-Onder	SB 343-Wasson
SB 306-Onder	SB 344-Wasson
SB 307-Curls	SB 345-Wasson
SB 308-Curls	SB 346-Wasson
SB 309-Curls	SJR 1-Munzlinger
SB 310-Emery	SJR 2-Dixon
SB 311-Emery	SJR 3-Chappelle-Nadal
SB 312-Schmitt	SJR 4-Emery
SB 313-Wallingford	SJR 5-Kraus
SB 314-Wallingford	SJR 6-Curls
SB 315-Dixon	SJR 7-Richard and Wallingford
SB 316-Brown	SJR 8-Schmitt
SB 317-Brown	SJR 9-Schmitt
SB 318-Cunningham and Libla	SJR 10-Sater
SB 319-Schaaf and Silvey	SJR 11-Emery
SB 320-Wallingford	SJR 12-Onder

THIRD READING OF SENATE BILLS

SS for SCS for SB 12-Munzlinger
(In Fiscal Oversight)

INFORMAL CALENDAR

RESOLUTIONS

Reported from Committee

SCR 1-Nasheed
SCR 3-Wallingford
SCR 4-Walsh
SCR 5-Romine

SCR 7-Brown
SCR 8-Parson, with SCS
SCR 9-Parson
HCS for HCRs 4 & 3 (Schaaf)

To be Referred

SR 200-Schaaf, et al

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

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Journal of the Senate

FIRST REGULAR SESSION

THIRTEENTH DAY—THURSDAY, JANUARY 29, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I give you thanks, O Lord, with my whole heart; before the gods I sing your praises...and give thanks to your name for your steadfast love and your faithfulness;” (Psalm 138:1, 2b)

O Lord God, You are an awesome God, worthy of our praise and thanksgiving, let us return home this day with joy and praise of You and be in Your house of prayer to worship and give thanks with full hearts and gratitude. May we express our joy that others will know Your presence in our lives. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from MDN/KMOX were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 201, regarding Dr. Stephen Town, which was adopted.

Senator Brown offered Senate Resolution No. 202, regarding Laura L. Martin, Osage Beach, which was adopted.

Senator Kehoe offered Senate Resolution No. 203, regarding the Class 2 State Champion Fatima High School softball program, which was adopted.

Senator Pearce offered Senate Resolution No. 204, regarding Adalynn Joyce “Joy” Stevenson, Warrensburg, which was adopted.

Senator Curls offered Senate Resolution No. 205, regarding the American Heart Association Midwest Affiliate, which was adopted.

Senator Dempsey offered Senate Resolution No. 206, regarding Mitch Hoffman, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 207, regarding George Black, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 208, regarding Father William Pezold Council #7198, which was adopted.

Senator Pearce offered Senate Resolution No. 209, regarding Arrow Rock and the Friends of Arrow Rock, which was adopted.

Senator Dixon offered Senate Resolution No. 210, regarding the Employee Screening Services of Missouri, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 211, regarding Foxhole Technology, Incorporated, Springfield, which was adopted.

Senator Holsman offered Senate Resolution No. 212, regarding Erin Lowe, Kansas City, which was adopted.

Senator Emery offered Senate Resolution No. 213, regarding Juliana Ortiz, Belton, which was adopted.

Senator Holsman offered Senate Resolution No. 214, regarding the United Way of Greater Kansas City, which was adopted.

Senator Holsman offered Senate Resolution No. 215, regarding JUNK Architects, PC, Kansas City, which was adopted.

CONCURRENT RESOLUTIONS

Senator Schaaf moved that **HCS** for **HCRs 4** and **3** be again taken up for 3rd reading and final passage, which motion prevailed.

Senator Romine assumed the Chair.

On motion of Senator Schaaf, **HCS** for **HCRs 4 and 3** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Holsman	Kehoe
Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators

Chappelle-Nadal	Curls	Keaveny—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the concurrent resolution passed.

On motion of Senator Schaaf, title to the concurrent resolution was agreed to.

Senator Schaaf moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Wasson offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 12

Whereas, Multiple Sclerosis (MS) is a chronic, often disabling disease that attacks the central nervous system, which is comprised of the brain, spinal cord, and optic nerves. MS damages the nerve-insulating myelin sheath that surrounds and protects the brain. The damage to the myelin sheath slows down or blocks messages between the brain and the body; and

Whereas, the cause of MS remains unknown; however, having a first-degree relative, such as a parent or sibling, with MS significantly increases a person's risk of developing the disease. According to the National Institute of Neurological Disorders and Stroke, it is estimated that there are approximately 250,000 to 350,000 persons in the United States who are diagnosed with MS. This estimate suggests that approximately 200 new cases are diagnosed each week; and

Whereas, it is in the public interest for the state to establish a Multiple Sclerosis Task Force in order to identify and address the unmet needs of persons with MS, and develop ways to enhance their quality of life:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create the Missouri Multiple Sclerosis Task Force; and

Be It Further Resolved that the mission of the Task Force shall be to fully consider and make recommendations in a report to the General Assembly on:

(1) Developing strategies to identify and address the unmet needs of persons with MS in order to enhance the quality of life of persons with MS by maximizing productivity and independence, and addressing the emotional, social, and vocational challenges of persons with MS; and

(2) Developing strategies to provide persons with MS greater access to various treatments and other therapeutic options that may be available; and

Be It Further Resolved that the Task Force shall consist of the following members:

(1) Two members of the Senate, one to be appointed by the President Pro Tempore of the Senate and one to be appointed by the Minority Leader of the Senate;

(2) Two members of the House of Representatives, one to be appointed by the Speaker of the House of Representatives and one to be appointed by the Minority Leader of the House of Representatives;

(3) The Director of the Department of Health and Senior Services, or his or her designee, to serve as a member and provide technical assistance to the task force;

(4) Two neurologists licensed to practice in this state, with one appointed by the President Pro Tempore of the Senate and one appointed by the Speaker of the House of Representatives, from a list of recommendations by the Department of Health and Senior Services;

(5) Two Missouri regional members of a national organization with experience in helping people affected by MS through funding cutting-edge research, driving change through advocacy, facilitating professional education and providing programs and services that help people and the families living with MS, with one appointed by the President Pro Tempore of the Senate and one appointed by the Speaker of the House of Representatives, from a list of recommendations by the Department of Health and Senior Services;

(6) Two persons who represent agencies that provide services or supports to individuals with MS in this state, with one appointed by the President Pro Tempore of the Senate and one appointed by the Speaker of the House of Representatives, from a list of recommendations by the Department of Health and Senior Services;

(7) Two persons who have MS, with one appointed by the President Pro Tempore of the Senate and one appointed by the Speaker of the House of Representatives, from a list of recommendations by the Department of Health and Senior Services; and

Be It Further Resolved that the staffs of Senate Research, House Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Task Force may require in the performance of its duties; and

Be It Further Resolved that the Task Force will report its recommendations and findings to the Missouri General Assembly by January 1, 2017; and

Be It Further Resolved that the Task Force shall terminate by either a majority of members voting for termination, or by January 1, 2017, whichever occurs first; and

Be It Further Resolved that the Multiple Sclerosis Task Force is authorized to function during the legislative interim between the First Regular Session of the Ninety-eighth General Assembly and the Second Regular Session of the Ninety-eighth General Assembly through January 1, 2017, as authorized by State v. Atterbury, 300 S.W.2d 806 (Mo. 1957); and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Director of the Department of Health and Senior Services.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 347—By Dixon.

An Act to repeal sections 217.035 and 374.080, RSMo, and to enact in lieu thereof two new sections relating to the sole purpose of codifying the omnibus state reorganization act of 1974.

SB 348—By Schaefer.

An Act relating to the transfer of funds to the general revenue fund, with an emergency clause.

SB 349—By Schaefer.

An Act to repeal section 302.137, RSMo, and to enact in lieu thereof one new section relating to the motorcycle safety trust fund.

SB 350—By Schaefer.

An Act to repeal sections 32.069 and 143.811, RSMo, and to enact in lieu thereof three new sections

relating to the department of revenue.

SB 351—By Schaefer.

An Act to amend chapter 387, RSMo, by adding thereto eighteen new sections relating to transportation network companies.

SB 352—By Schaefer.

An Act to amend chapter 574, RSMo, by adding thereto five new sections relating to the Missouri criminal enterprise act, with penalty provisions.

SB 353—By Silvey.

An Act to amend chapters 67 and 144, RSMo, by adding thereto two new sections relating to tax incentives for data storage.

SB 354—By Sater.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for amino acid-based elemental formulas.

SB 355—By Brown.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to compensation for certain employees of the department of corrections.

SB 356—By Nasheed.

An Act to amend chapter 590, RSMo, by adding thereto one new section relating to a requirement for peace officers to wear body-worn cameras.

SB 357—By Nasheed.

An Act to repeal section 302.341, RSMo, and to enact in lieu thereof two new sections relating to accreditation requirements for law enforcement agencies in certain counties.

SB 358—By Kehoe.

An Act to repeal section 644.011, RSMo, and to enact in lieu thereof one new section relating to water pollution control.

SB 359—By Kehoe.

An Act to repeal sections 8.683 and 8.685, RSMo, and to enact in lieu thereof two new sections relating to construction management services.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Sherry Cooper and Noel Thomas Fehr, Sr., as members of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects;

Also,

Thomas W. Neer, Republican and Larry D. Hale, Democrat, as members of the Missouri Gaming Commission;

Also,

Donald R. McQuitty, Democrat, as a member of the State Fair Commission;

Also,

Leo D. Price, Sr. and Linda M. Bramblett, as members of the Board of Cosmetology and Barber Examiners;

Also,

John Michael Mowrer, as a member of the Missouri Veterans' Commission;

Also,

Robert Andrew Bryan, as a member of the Children's Trust Fund Board;

Also,

Betty A. Knight, Republican, as a member of the Platte County Election Board;

Also,

Jeffrey D. Lance, Republican, as a member of the State Soil and Water Districts Commission;

Also,

Vernal Brown, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District;

Also,

Nicole J. Colbert-Botchway and Audrey H. McIntosh, as members of the Administrative Hearing Commission;

Also,

Christian I. Thompson, as the student representative of the Lincoln University Board of Curators;

Also,

Charles Jackson, Democrat and Allison Crista Hogan, Republican, as members of the Public Defender Commission;

Also,

Cheryl Hibbeler, Democrat and John Albright, Republican, as members of the Missouri Community Service Commission; and

Jeffrey P. Appleman, Republican, as a member of the State Board of Podiatric Medicine.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one

motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS** for **SCS** for **SB 12**, begs leave to report that it has considered the same and recommends that the bill do pass.

CONCURRENT RESOLUTIONS

SCR 9, introduced by Senator Parson, entitled:

Relating to authorization for the issuance of bonds for certain higher education projects.

Was taken up.

On motion of Senator Parson, **SCR 9** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators

Emery	Kraus	Schmitt—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the concurrent resolution passed.

On motion of Senator Parson, title to the concurrent resolution was agreed to.

Senator Parson moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCR 8, introduced by Senator Parson, with **SCS**, entitled:

Relating to authorization for the issuance of bonds for certain state projects.

Was taken up for 3rd reading and final passage.

SCS for **SCR 8**, entitled:

Relating to authorization for the issuance of bonds for certain state projects.

Was taken up.

Senator Parson moved that **SCS** for **SCR 8**, be adopted, which motion prevailed.

On motion of Senator Parson, **SCR 8**, as amended by the **SCS**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schatz
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators

Kraus	Schaefer	Schmitt—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the concurrent resolution passed.

On motion of Senator Parson, title to the concurrent resolution was agreed to.

Senator Parson moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 12**, introduced by Senator Munzlinger, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 12

An Act to repeal sections 262.900, 275.352, 277.040, 281.065, 304.180, 442.571, and 537.325, RSMo, and to enact in lieu thereof fourteen new sections relating to agriculture.

Was taken up.

On motion of Senator Munzlinger, **SS** for **SCS** for **SB 12** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman	Keaveny
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators

Chappelle-Nadal Emery—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following report:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 38**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 11**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 18**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 15**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, on behalf of Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 14**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following

report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 26**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Romine assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 151—Veterans' Affairs and Health.

SB 152—Commerce, Consumer Protection, Energy and the Environment.

SB 153—Small Business, Insurance and Industry.

SB 154—Financial and Governmental Organizations and Elections.

SB 155—Transportation, Infrastructure and Public Safety.

SB 156—Transportation, Infrastructure and Public Safety.

SB 157—Small Business, Insurance and Industry.

SB 158—Judiciary and Civil and Criminal Jurisprudence.

SB 159—Small Business, Insurance and Industry.

SB 160—Commerce, Consumer Protection, Energy and the Environment.

SB 161—Education.

SB 162—Jobs, Economic Development and Local Government.

SB 163—Ways and Means.

SB 164—Small Business, Insurance and Industry.

SB 165—Judiciary and Civil and Criminal Jurisprudence.

SB 166—Transportation, Infrastructure and Public Safety.

SB 167—Appropriations.

SB 168—Commerce, Consumer Protection, Energy and the Environment.

SB 169—Financial and Governmental Organizations and Elections.

SB 170—Financial and Governmental Organizations and Elections.

SB 171—Education.

SB 172—Education.

SB 173—Education.

SB 174—Seniors, Families and Children.

SB 175—Education.

- SB 176**—Judiciary and Civil and Criminal Jurisprudence.
- SB 177**—Ways and Means.
- SB 178**—Governmental Accountability and Fiscal Oversight.
- SB 179**—Seniors, Families and Children.
- SB 180**—Ways and Means.
- SB 181**—Judiciary and Civil and Criminal Jurisprudence.
- SB 182**—Judiciary and Civil and Criminal Jurisprudence.
- SB 183**—Judiciary and Civil and Criminal Jurisprudence.
- SB 184**—Small Business, Insurance and Industry.
- SB 185**—Governmental Accountability and Fiscal Oversight.
- SB 186**—Veterans' Affairs and Health.
- SB 187**—Financial and Governmental Organizations and Elections.
- SB 188**—Judiciary and Civil and Criminal Jurisprudence.
- SB 189**—Judiciary and Civil and Criminal Jurisprudence.
- SB 190**—Ways and Means.
- SB 191**—Jobs, Economic Development and Local Government.
- SB 192**—Judiciary and Civil and Criminal Jurisprudence.
- SB 193**—Small Business, Insurance and Industry.
- SB 194**—Jobs, Economic Development and Local Government.
- SB 195**—Jobs, Economic Development and Local Government.
- SB 196**—Transportation, Infrastructure and Public Safety.
- SB 197**—Veterans' Affairs and Health.
- SB 198**—Commerce, Consumer Protection, Energy and the Environment.
- SB 199**—Judiciary and Civil and Criminal Jurisprudence.
- SB 200**—Judiciary and Civil and Criminal Jurisprudence.
- SB 201**—Judiciary and Civil and Criminal Jurisprudence.
- SB 202**—Judiciary and Civil and Criminal Jurisprudence.
- SB 203**—Governmental Accountability and Fiscal Oversight.
- SB 204**—Small Business, Insurance and Industry.
- SB 205**—Small Business, Insurance and Industry.
- SB 206**—Small Business, Insurance and Industry.
- SB 207**—Jobs, Economic Development and Local Government.

SB 208—Agriculture, Food Production and Outdoor Resources.

SB 209—Agriculture, Food Production and Outdoor Resources.

SB 210—Appropriations.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Linda Viebrock and Tammy Lawler, Benton County.

Senator Kehoe introduced to the Senate, his brother, John Kehoe, Jefferson City; and State Senator Jake Chapman and Scott Nelson, Des Moines, Iowa.

Senator Riddle introduced to the Senate, Josh Boehm, Kansas City.

SENATE CALENDAR

FOURTEENTH DAY—MONDAY, FEBRUARY 2, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 211-Walsh and Dixon	SB 230-Romine
SB 212-Walsh	SB 231-Kehoe
SB 213-Wallingford	SB 232-Kehoe
SB 214-Pearce	SB 233-Kehoe
SB 215-Nasheed	SB 234-Kehoe
SB 216-Keaveny	SB 235-Dixon
SB 217-Riddle	SB 236-Keaveny
SB 218-Riddle	SB 237-Keaveny, et al
SB 219-Wallingford	SB 238-LeVota
SB 220-Kehoe	SB 239-Brown
SB 221-Schatz	SB 240-Keaveny and Schaaf
SB 222-Schatz	SB 241-Keaveny
SB 223-Schatz	SB 242-Dixon
SB 224-Romine and Dixon	SB 243-Schmitt
SB 225-Romine	SB 244-Schmitt
SB 226-Emery	SB 245-Hegeman
SB 227-Emery	SB 246-Hegeman
SB 228-Curls	SB 247-Sifton
SB 229-Curls	SB 248-Schaefer

SB 249-Holsman	SB 289-Schatz
SB 250-Onder	SB 290-Schaefer
SB 251-Onder	SB 291-Cunningham
SB 252-Romine	SB 292-Munzlinger
SB 253-Romine	SB 293-Parson
SB 254-Kraus	SB 294-Schaaf
SB 255-Schaaf and Holsman	SB 295-Schaaf
SB 256-Sater and Nasheed	SB 296-Schaaf
SB 257-Sater	SB 297-Holsman
SB 258-Wallingford	SB 298-Kraus
SB 259-Wallingford	SB 299-Pearce
SB 260-Schaefer	SB 300-Silvey
SB 261-Schaefer	SB 301-Silvey
SB 262-Schaefer	SB 302-Riddle
SB 263-Schaefer	SB 303-Keaveny
SB 264-Schaefer	SB 304-Keaveny
SB 265-Schaefer	SB 305-Onder
SB 266-Schaefer	SB 306-Onder
SB 267-Schaefer	SB 307-Curls
SB 268-Pearce	SB 308-Curls
SB 269-Nasheed	SB 309-Curls
SB 270-Nasheed	SB 310-Emery
SB 271-Silvey	SB 311-Emery
SB 272-Riddle, et al	SB 312-Schmitt
SB 273-Riddle	SB 313-Wallingford
SB 274-Schupp	SB 314-Wallingford
SB 275-Schupp	SB 315-Dixon
SB 276-Walsh	SB 316-Brown
SB 277-Walsh	SB 317-Brown
SB 278-Schatz	SB 318-Cunningham and Libla
SB 279-Brown	SB 319-Schaaf and Silvey
SB 280-Keaveny	SB 320-Wallingford
SB 281-Silvey	SB 321-Hegeman
SB 282-Parson	SB 322-Dempsey
SB 283-Kehoe	SB 323-Munzlinger
SB 284-Munzlinger	SB 324-Munzlinger
SB 285-Kehoe	SB 325-Sater
SB 286-Schaaf and Silvey	SB 326-Sater
SB 287-Silvey	SB 327-Onder
SB 288-Schatz	SB 328-Schupp

SB 329-Schupp	SB 351-Schaefer
SB 330-Parson	SB 352-Schaefer
SB 331-Libla	SB 353-Silvey
SB 332-Nasheed	SB 354-Sater
SB 333-Nasheed	SB 355-Brown
SB 334-Nasheed	SB 356-Nasheed
SB 335-Holsman	SB 357-Nasheed
SB 336-Kraus	SB 358-Kehoe
SB 337-Munzlinger	SB 359-Kehoe
SB 338-Munzlinger	SJR 1-Munzlinger
SB 339-Munzlinger	SJR 2-Dixon
SB 340-Pearce	SJR 3-Chappelle-Nadal
SB 341-Riddle	SJR 4-Emery
SB 342-Brown	SJR 5-Kraus
SB 343-Wasson	SJR 6-Curls
SB 344-Wasson	SJR 7-Richard and Wallingford
SB 345-Wasson	SJR 8-Schmitt
SB 346-Wasson	SJR 9-Schmitt
SB 347-Dixon	SJR 10-Sater
SB 348-Schaefer	SJR 11-Emery
SB 349-Schaefer	SJR 12-Onder
SB 350-Schaefer	

SENATE BILLS FOR PERFECTION

SB 38-Romine, with SCS	SB 15-Dixon and LeVota, with SCS
SB 11-Richard, with SCS	SB 14-Munzlinger
SB 18-Kraus, with SCS	SB 26-Sater and Schupp, with SCS

INFORMAL CALENDAR

RESOLUTIONS

Reported from Committee

SCR 1-Nasheed	SCR 5-Romine
SCR 3-Wallingford	SCR 7-Brown
SCR 4-Walsh	

To be Referred

SCR 12-Wasson

SR 200-Schaaf, et al

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

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Journal of the Senate

FIRST REGULAR SESSION

FOURTEENTH DAY—MONDAY, FEBRUARY 2, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“What are human beings that you are mindful of them? Yet you have made them a little lower than God, and crowned them with glory and honor.” (Psalm 8:4-5)

O Lord, we are like the snowflakes that fell this weekend, no two alike. Each of us is a child of Yours in the same essence but different in form. So, we ask that You bless our uniqueness, our one of a kind value before You, knowing each here is created special, but none better than another, for You did not make one snowflake or one person better than another. Yet together we create a beautiful landscape of Your choosing to create what You desire accomplished through our joint efforts. So guide our work this week and bless their results. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 29, 2015 was read and approved.

Senator Kehoe announced photographers from the Jefferson City News Tribune were given permission to take pictures in the Senate Chamber.

The Senate observed a moment of silence for Mr. Ross Nichols.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—32

Absent—Senators—None

Absent with leave—Senators

Richard Silvey—2

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 216, regarding Carl “Buck” Sickau, Forsyth, which was adopted.

Senator Sater offered Senate Resolution No. 217, regarding College of the Ozarks, Point Lookout, which was adopted.

Senator Sater offered Senate Resolution No. 218, regarding JoAnn Watson, Forsyth, which was adopted.

Senator Sater offered Senate Resolution No. 219, regarding the city of Forsyth, which was adopted.

Senator Munzlinger offered Senate Resolution No. 220, regarding Worldwide Recycling Equipment Sales, LLC, Moberly, which was adopted.

Senator Hegeman offered Senate Resolution No. 221, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Russell Clements, Maryville, which was adopted.

Senator Kraus offered Senate Resolution No. 222, regarding Talan Lang, Blue Springs, which was adopted.

Senator Kehoe offered Senate Resolution No. 223, regarding the Class 2 State Champion Fatima High School girls cross country program, which was adopted.

Senator Kehoe offered Senate Resolution No. 224, regarding James L. Jones, which was adopted.

Senator Kehoe offered Senate Resolution No. 225, regarding Darren N. Bragg, which was adopted.

Senator Kehoe offered Senate Resolution No. 226, regarding Brian L. Fenderson, which was adopted.

Senator Kehoe offered Senate Resolution No. 227, regarding Charles D. Mitchell, which was adopted.

Senator Kehoe offered Senate Resolution No. 228, regarding Roger J. Thomas, III, which was adopted.

Senator Kehoe offered Senate Resolution No. 229, regarding Ashton A. Davis, which was adopted.

Senator Kehoe offered Senate Resolution No. 230, regarding Dionte Salvi, which was adopted.

Senator Kehoe offered Senate Resolution No. 231, regarding Joseph J. Reese, which was adopted.

Senator Kehoe offered Senate Resolution No. 232, regarding James S. Bowen, II, which was adopted.

Senator Kehoe offered Senate Resolution No. 233, regarding Brandon Pierre Bowden, which was adopted.

Senator Hegeman offered Senate Resolution No. 234, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gary Proffit, Maryville, which was adopted.

Senator Wallingford offered Senate Resolution No. 235, regarding Jackson Mabuce, Jackson, which was

adopted.

Senator Wallingford offered Senate Resolution No. 236, regarding Isaiah Masterson, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 237, regarding Fletcher Mitten, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 238, regarding Talon Chiles, Jackson, which was adopted.

Senator Holsman offered Senate Resolution No. 239, regarding Jenevieve Jaax, which was adopted.

Senator Holsman offered Senate Resolution No. 240, regarding Eleanor Nash, Kansas City, which was adopted.

Senator Holsman offered Senate Resolution No. 241, regarding Courtney A. Didier, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 360—By Parson.

An Act to amend chapter 436, RSMo, by adding thereto ten new sections relating to the civil litigation funding act.

SB 361—By Parson.

An Act to repeal section 261.235, RSMo, and to enact in lieu thereof one new section relating to the establishment of a fee structure for sellers electing to use the AgriMissouri trademark associated with Missouri agricultural products.

SB 362—By Parson.

An Act to amend chapter 374, RSMo, by adding thereto two new sections relating to informational documents issued by the department of insurance, financial institutions and professional registration.

SB 363—By Parson.

An Act to repeal sections 621.145 and 621.189, RSMo, and to enact in lieu thereof seven new sections relating to the board of administrative appeals.

SB 364—By Parson.

An Act to amend chapter 137, RSMo, by adding thereto one new section relating to assessment in newly created political subdivisions.

SB 365—By Schmitt.

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to the special needs of certain individuals.

SB 366—By Schmitt.

An Act to repeal sections 166.410 and 166.435, RSMo, and to enact in lieu thereof two new sections relating to the Missouri higher education savings program.

SB 367—By Kraus.

An Act to repeal sections 8.683 and 8.685, RSMo, and to enact in lieu thereof two new sections relating to construction management services.

SB 368—By Pearce.

An Act to repeal sections 337.025, 337.029, and 337.033, RSMo, and to enact in lieu thereof three new sections relating to the licensure of psychologists.

SB 369—By Pearce.

An Act to authorize the conveyance of certain state properties.

SB 370—By Munzlinger.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to automated traffic enforcement, with a penalty provision.

SB 371—By Munzlinger.

An Act to repeal section 142.029, relating to subsidies for ethanol producers.

SB 372—By Keaveny.

An Act to repeal section 105.915, RSMo, and to enact in lieu thereof one new section relating to the state of Missouri deferred compensation plan.

SB 373—By Libla.

An Act to repeal section 311.730, RSMo, and to enact in lieu thereof two new sections relating to the establishment of the division of alcohol and tobacco control fund.

SB 374—By Schatz.

An Act to repeal section 143.121, RSMo, and to enact in lieu thereof one new section relating to a deduction for compensation payments for agricultural losses.

SB 375—By Schatz.

An Act to repeal section 67.2800, RSMo, and to enact in lieu thereof one new section relating to sewer and water operations.

SB 376—By Schatz.

An Act to amend chapter 393, RSMo, by adding thereto six new sections relating to electrical corporation resource plans.

SB 377—By Schatz.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions for aircraft.

SB 378—By Schatz.

An Act to repeal section 144.450, RSMo, and to enact in lieu thereof one new section relating to sales tax on motor vehicles.

SB 379—By Schatz.

An Act to repeal section 66.620, RSMo, and to enact in lieu thereof one new section relating to distribution of local sales taxes.

SB 380—By Wieland.

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to the money follows the person demonstration program.

SB 381—By Dixon.

An Act to repeal section 226.095, RSMo, relating to arbitration in negligence actions against the department of transportation.

SB 382—By Dixon.

An Act to repeal sections 542.296, 544.250, 545.400, and 545.490, RSMo, and to enact in lieu thereof four new sections relating to criminal procedure.

SB 383—By Wallingford.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to dental insurance.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 29, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Caleb Doyle as a student representative to the Missouri State University Board of Governors, submitted to you on January 7, 2015. Line 1 should be amended to read:

Caleb Austin Doyle, 1013 East Battlefield, Springfield, Greene County, Missouri 65807, as

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 30, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Kelley F. Farrell, 53 Berkshire Drive, Saint Louis, Saint Louis County, Missouri 63117, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, for a term ending November 11, 2015, and until her successor is duly appointed and qualified; vice, Kelley F. Farrell, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above addendum and appointment to the Committee on Gubernatorial Appointments.

CONCURRENT RESOLUTIONS

Senator Romine moved that **SCR 5** be taken up for adoption, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Romine, **SCR 5** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Richard Silvey—2

Vacancies—None

Senator Brown moved that **SCR 7** be taken up for adoption, which motion prevailed.

On motion of Senator Brown, **SCR 7** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Richard Silvey—2

Vacancies—None

Senator Wallingford moved that **SCR 3** be taken up for adoption, which motion prevailed.

On motion of Senator Wallingford, **SCR 3** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Richard Silvey—2

Vacancies—None

SCR 1, introduced by Senator Nasheed, entitled:

Relating to recognition of January as sex trafficking awareness month.

Was taken up.

Senator Nasheed offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Concurrent Resolution No. 1, as it appears on Page 30 of the Senate Journal for Wednesday, January 7, 2015, Line 28 of said journal page, by striking the word “Constition” and inserting in lieu thereof the word “Constitution”.

Senator Nasheed moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Nasheed, **SCR 1**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Richard Silvey—2

Vacancies—None

The President declared the concurrent resolution passed.

On motion of Senator Nasheed, title to the concurrent resolution was agreed to.

Senator Nasheed moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCR 4, introduced by Senator Walsh, entitled:

Relating to recognition of September 26th as Mesothelioma Awareness Day in Missouri.

Was taken up.

On motion of Senator Walsh, **SCR 4** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Richard Silvey—2

Vacancies—None

The President declared the concurrent resolution passed.

On motion of Senator Walsh, title to the concurrent resolution was agreed to.

Senator Walsh moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Romine moved that **SB 38**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 38**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 38

An Act to repeal section 208.952, RSMo, and to enact in lieu thereof one new section relating to the joint committee on MO HealthNet, with penalty provisions.

Was taken up.

Senator Romine moved that **SCS** for **SB 38** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 38, Page 2, Section 208.952, Line 29, by inserting immediately after the word “committee.” the following: “**A portion of the meeting shall be set aside for the purpose of receiving public testimony.**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 38, Page 1, Section 208.952, Line 17, by striking the following: “for health, mental health, and social services” and inserting in lieu thereof the following: “**designated to consider MO HealthNet legislation and matters**”; and

Further amend said bill and section, page 2, line 19, by striking the word “assigned” and inserting in lieu thereof the word “**designated**”; and further amend line 31, by striking the following: “solicit from state” and inserting in lieu thereof the following: “**seek from statewide**”; and further amend line 32, by striking the following: “as to”; and further amend lines 44-47, by striking all of side lines and inserting in lieu thereof the following: “**duties. The**”; and

Further amend said bill and section, page 3, line 55, by striking “2016” and inserting in lieu thereof “**2017**”.

Senator Dixon moved that the above amendment be adopted.

Senator Schaaf offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Committee Substitute for Senate Bill No. 38, Page 1, Lines 14 and 15, by deleting said lines and inserting in lieu thereof the following:

“Further amend said bill and section, page 3, line 55, by deleting said line and inserting in lieu thereof the following:

“assembly by March first each year, beginning in [2008] **2016**, on anticipated””

Senator Schaaf moved that the above amendment be adopted, which motion failed.

SA 2 was again taken up.

Senator Dixon moved that above amendment be adopted, which motion prevailed.

Senator Brown offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 38, Page 2, Section 208.952, Line 39, by inserting after “duties.” the following: **“The employee or executive director shall be authorized to conduct an audit, special review, or investigation into any contract between the MO HealthNet program and a vendor for the provision of services to the program.”**.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Romine moved that **SCS** for **SB 38**, as amended, be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SB 38**, as amended, was declared perfected and ordered printed.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 211—Seniors, Families and Children.

SB 212—Judiciary and Civil and Criminal Jurisprudence.

SB 213—Judiciary and Civil and Criminal Jurisprudence.

SB 214—General Laws and Pensions.

SB 215—Small Business, Insurance and Industry.

SB 216—Judiciary and Civil and Criminal Jurisprudence.

SB 217—Financial and Governmental Organizations and Elections.

SB 218—Veterans' Affairs and Health.

SB 219—General Laws and Pensions.

SB 220—Small Business, Insurance and Industry.

SB 221—Jobs, Economic Development and Local Government.

SB 222—Commerce, Consumer Protection, Energy and the Environment.

SB 223—Ways and Means.

SB 224—Education.

SB 225—Commerce, Consumer Protection, Energy and the Environment.

SB 226—Veterans' Affairs and Health.

SB 227—Small Business, Insurance and Industry.

SB 228—Judiciary and Civil and Criminal Jurisprudence.

SB 229—Jobs, Economic Development and Local Government.

SB 230—Veterans' Affairs and Health.

SB 231—Transportation, Infrastructure and Public Safety.

SB 232—Transportation, Infrastructure and Public Safety.

SB 233—Small Business, Insurance and Industry.

REFERRALS

President Pro Tem Dempsey referred **SCR 12** and **SR 200** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

January 28, 2015

The Honorable Tom Dempsey
State Capitol, Room 326
Jefferson City, MO 65101

Dear Senator Dempsey:

I respectfully request that I be removed as a member of the MoDOT and Highway Patrol Employees' Retirement System (MPERS) Board.

Thank you for your consideration. Please feel free to contact me should you have any questions.

Sincerely,


Mike Kehoe

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Larry Isaac and Pam Schutt, Midwestern Higher Education Compact; and President Dr. Charles Ambrose, University of Central Missouri, Warrensburg.

Senator Libla introduced to the Senate, members of Three Rivers College, Teresa Johnson, Poplar Bluff; Ann Mathews, Kennett; and Missy Marshall, Sikeston.

On behalf of Senator Kehoe and himself, Senator Holsman introduced to the Senate, Shondra Cook, Debbie Lawrence, Sarah Buitrago, Dan Burns, Melvyn Smith, Linda Niekamp, Ariana Kelsey, Theodore Ginnery, Anthony Hunt, Myra Clemons, Samantha Fritsche, Dylan Armor, Sherry Biggs, Sylvester King, Ebonee Jones, Derrance Weddington, Brian Wilburn, Cathy Reiner, Michelle Bell, Alicia Rogers, Flora Herndon, Chad Pica, Tony Henderson, Ray Johnson and Gene Fultz, Jefferson City.

Senator Schatz introduced to the Senate, Ethan Sellers, Sullivan.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTEENTH DAY—TUESDAY, FEBRUARY 3, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 234-Kehoe	SB 264-Schaefer
SB 235-Dixon	SB 265-Schaefer
SB 236-Keaveny	SB 266-Schaefer
SB 237-Keaveny, et al	SB 267-Schaefer
SB 238-LeVota	SB 268-Pearce
SB 239-Brown	SB 269-Nasheed
SB 240-Keaveny and Schaaf	SB 270-Nasheed
SB 241-Keaveny	SB 271-Silvey
SB 242-Dixon	SB 272-Riddle, et al
SB 243-Schmitt	SB 273-Riddle
SB 244-Schmitt	SB 274-Schupp
SB 245-Hegeman	SB 275-Schupp
SB 246-Hegeman	SB 276-Walsh
SB 247-Sifton	SB 277-Walsh
SB 248-Schaefer	SB 278-Schatz
SB 249-Holsman	SB 279-Brown
SB 250-Onder	SB 280-Keaveny
SB 251-Onder	SB 281-Silvey
SB 252-Romine	SB 282-Parson
SB 253-Romine	SB 283-Kehoe
SB 254-Kraus	SB 284-Munzlinger
SB 255-Schaaf and Holsman	SB 285-Kehoe
SB 256-Sater and Nasheed	SB 286-Schaaf and Silvey
SB 257-Sater	SB 287-Silvey
SB 258-Wallingford	SB 288-Schatz
SB 259-Wallingford	SB 289-Schatz
SB 260-Schaefer	SB 290-Schaefer
SB 261-Schaefer	SB 291-Cunningham
SB 262-Schaefer	SB 292-Munzlinger
SB 263-Schaefer	SB 293-Parson

SB 294-Schaaf	SB 334-Nasheed
SB 295-Schaaf	SB 335-Holsman
SB 296-Schaaf	SB 336-Kraus
SB 297-Holsman	SB 337-Munzlinger
SB 298-Kraus	SB 338-Munzlinger
SB 299-Pearce	SB 339-Munzlinger
SB 300-Silvey	SB 340-Pearce
SB 301-Silvey	SB 341-Riddle
SB 302-Riddle	SB 342-Brown
SB 303-Keaveny	SB 343-Wasson
SB 304-Keaveny	SB 344-Wasson
SB 305-Onder	SB 345-Wasson
SB 306-Onder	SB 346-Wasson
SB 307-Curls	SB 347-Dixon
SB 308-Curls	SB 348-Schaefer
SB 309-Curls	SB 349-Schaefer
SB 310-Emery	SB 350-Schaefer
SB 311-Emery	SB 351-Schaefer
SB 312-Schmitt	SB 352-Schaefer
SB 313-Wallingford	SB 353-Silvey
SB 314-Wallingford	SB 354-Sater
SB 315-Dixon	SB 355-Brown
SB 316-Brown	SB 356-Nasheed
SB 317-Brown	SB 357-Nasheed
SB 318-Cunningham and Libla	SB 358-Kehoe
SB 319-Schaaf and Silvey	SB 359-Kehoe
SB 320-Wallingford	SB 360-Parson
SB 321-Hegeman	SB 361-Parson
SB 322-Dempsey	SB 362-Parson
SB 323-Munzlinger	SB 363-Parson
SB 324-Munzlinger	SB 364-Parson
SB 325-Sater	SB 365-Schmitt
SB 326-Sater	SB 366-Schmitt
SB 327-Onder	SB 367-Kraus
SB 328-Schupp	SB 368-Pearce
SB 329-Schupp	SB 369-Pearce
SB 330-Parson	SB 370-Munzlinger
SB 331-Libla	SB 371-Munzlinger
SB 332-Nasheed	SB 372-Keaveny
SB 333-Nasheed	SB 373-Libla

SB 374-Schatz	SJR 2-Dixon
SB 375-Schatz	SJR 3-Chappelle-Nadal
SB 376-Schatz	SJR 4-Emery
SB 377-Schatz	SJR 5-Kraus
SB 378-Schatz	SJR 6-Curls
SB 379-Schatz	SJR 7-Richard and Wallingford
SB 380-Wieland	SJR 8-Schmitt
SB 381-Dixon	SJR 9-Schmitt
SB 382-Dixon	SJR 10-Sater
SB 383-Wallingford	SJR 11-Emery
SJR 1-Munzlinger	SJR 12-Onder

SENATE BILLS FOR PERFECTION

SB 11-Richard, with SCS	SB 14-Munzlinger
SB 18-Kraus, with SCS	SB 26-Sater and Schupp, with SCS
SB 15-Dixon and LeVota, with SCS	

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

✓

Journal of the Senate

FIRST REGULAR SESSION

FIFTEENTH DAY—TUESDAY, FEBRUARY 3, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Wait for the Lord; be strong, and let your heart take courage; wait for the Lord!” (Psalm 27:14)

We wait upon You O Lord, our faith is girded by Your faithfulness. No matter how many times we are called and return to You, You wait patiently for us to do so. Instill the same sense of faithfulness that is Yours, Lord. Teach us and help us be as faithful to You as You have shown Your faithfulness to us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 242, regarding Major General Leslie C. Smith, Fort Leonard Wood, which was adopted.

Senator Brown offered Senate Resolution No. 243, regarding Colonel Ralph L. Schwader, Whiteman

Air Force Base, which was adopted.

Senator Brown offered Senate Resolution No. 244, regarding Brigadier General Glen D. VanHerck, Whiteman Air Force Base, which was adopted.

Senator Parson offered Senate Resolution No. 245, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Larry Cunningham, Conway, which was adopted.

CONCURRENT RESOLUTIONS

Senator Curls offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 13

Whereas, neuroblastoma is a type of cancer that forms in the sympathetic nervous system of infants and young children; and

Whereas, neuroblastoma is a very serious childhood disease which is responsible for 12% of all cancer deaths in children under 15 years of age, accounts for about 7% of all cancers in children, and is the most common type of cancer among infants; and

Whereas, there are roughly 650 new cases of neuroblastoma each year in the United States causing a child to die every 16 hours from the disease; and

Whereas, the National Cancer Institute spends less than 3% of its budget and the American Cancer Society directs less than 2% of its research dollars towards pediatric cancer; and

Whereas, pediatric AIDS research receives four times more funding than childhood cancer even though childhood cancer is 20 times more prevalent; and

Whereas, physicians frequently face major challenges in diagnosing neuroblastoma because the symptoms are very similar to more common and less serious childhood illnesses, which results in delayed diagnosis; and

Whereas, by the time neuroblastoma is diagnosed, in roughly two out of three cases the disease has already spread to other parts of the body; and

Whereas, the children suffering from neuroblastoma often undergo treatment involving chemotherapy as well as surgery, and experience prolonged painful symptoms; and

Whereas, the families of children with neuroblastoma must deal with the potential of losing their child while at the same time face out of pocket expenses to treat childhood cancer of roughly \$40,000 a year, even with insurance coverage; and

Whereas, those suffering from neuroblastoma deserve recognition and support in their battle against this painful and deadly disease:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby declare November 14, 2015, as Neuroblastoma Cancer Awareness Day.

Senator Schaefer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 14

Relating to a Ride to Work Day in Missouri

Whereas, scooters and motorcycles use comparatively less fuel, cause less pollution and have less harmful impact on our infrastructure; and

Whereas, scooters and motorcycles require only a fraction of space taken by other vehicles to park; and

Whereas, the price of fossil fuels is growing and supply is diminishing; and

Whereas, the use of fossil fuels continues to damage our health by adding to pollution and risking our future through global warming; and

Whereas, our infrastructure repairs fail to keep pace with its degradation; and

Whereas, scooters and motorcycles, for these reasons, offer a form of daily transportation to be encouraged; and

Whereas, the third Monday in June has been designated as Ride to Work Day to highlight the positive daily use of scooters and

motorcycles:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby designate the third Monday in June of every year as Ride to Work Day in Missouri; and

Be it Further Resolved that the Secretary of the Missouri Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

SB 384—By Munzlinger.

An Act to repeal sections 50.333 and 57.317, RSMo, and to enact in lieu thereof two new sections relating to salaries of county officers.

SB 385—By Keaveny.

An Act to repeal section 57.540, RSMo, relating to attorneys employed by sheriffs in the city of St. Louis.

SB 386—By Keaveny.

An Act to repeal sections 192.945, 195.207, and 261.265, RSMo, and to enact in lieu thereof three new sections relating to hemp extract.

SB 387—By Wasson.

An Act to repeal section 67.410, RSMo, and to enact in lieu thereof one new section relating to ordinances for the abatement of public nuisances, with an existing penalty provision.

SB 388—By Wasson.

An Act to repeal sections 8.683 and 8.685, RSMo, and to enact in lieu thereof four new sections relating to construction contracts entered into by public entities.

SB 389—By Silvey and Walsh.

An Act to repeal section 34.040, RSMo, and to enact in lieu thereof one new section relating to competitive bidding.

SB 390—By Curls.

An Act to amend chapter 99, RSMo, by adding thereto one new section relating to a tax credit for purchase of blighted homes.

SB 391—By Curls.

An Act to repeal sections 441.500, 441.510, 441.570, 441.590, 441.600, and 441.641, RSMo, and to enact in lieu thereof six new sections relating to residential property receivership.

SB 392—By Wieland.

An Act to repeal section 378.633, RSMo, and to enact in lieu thereof one new section relating to fraternal benefit society agents.

SB 393—By Schupp.

An Act to amend chapter 565, RSMo, by adding thereto one new section relating to capital punishment.

SB 394—By Wallingford.

An Act to amend chapter 379, RSMo, by adding thereto one new section relating to earthquake insurance coverage for property damage caused by earthquake activity.

SJR 13—By Schaaf.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VII of the Constitution of Missouri relating to the Missouri anti-corruption amendment.

SJR 14—By Dixon.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 51 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to gubernatorial appointments.

SENATE BILLS FOR PERFECTION

Senator Richard moved that **SB 11**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 11**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 11

An Act to repeal sections 105.450 and 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof five new sections relating to regulating the ethical behavior of professionals engaged in political activities, with existing penalty provisions.

Was taken up.

Senator Richard moved that **SCS** for **SB 11** be adopted.

Senator Richard offered **SS** for **SCS** for **SB 11**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 11

An Act to repeal sections 105.450 and 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof five new sections relating to regulating the ethical behavior of professionals engaged in political activities, with existing penalty provisions.

Senator Richard moved that **SS** for **SCS** for **SB 11** be adopted.

Senator Kehoe assumed the Chair.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 24, Section 105.473, Line 6 of said page, by inserting after all of said line the following:

“105.489. **1.** The financial interest statements required to be filed pursuant to the provisions of sections 105.483 to 105.492, other than pursuant to subsection 4 of section 105.485, shall be filed with the appropriate filing officer or officers. For the purpose of sections 105.483 to 105.492, the term “filing officer” is defined as:

(1) In the case of state elected officials and candidates for such office, and all other state officials and employees, the filing officer is the commission;

(2) In the case of judges of courts of law, the filing officer shall be the clerk of the supreme court. Financial interest statements filed by judges shall be made available for public inspection unless otherwise provided by supreme court rule;

(3) In the case of persons holding elective office in any political subdivision and candidates for such offices, and in the case of all other officers or employees of a political subdivision, the filing officer shall be the commission.

2. Any filing officer may publish the financial interest statements filed with them in a manner that is easily accessible to the public.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Nasheed offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 21, Section 105.473, Line 18, of said page, by inserting after “4.” the following: “**No member of the general assembly or such member’s staff, employee, spouse, or dependent children shall directly or indirectly accept any travel or tickets for or complimentary entrance into any sporting event or musical performance from any lobbyist as defined in section 105.470.**

5.”; and further amend said section by renumber the remaining subsections accordingly; and

Further amend said bill, Page 24, Section 105.473, Line 6 of said page, by inserting after all of said line the following:

“14. No lobbyist shall directly or indirectly deliver any travel or tickets for or complimentary entrance into any sporting event or musical performance to any member of the general assembly or such member’s staff, employee, spouse, or dependent children.”.

President Pro Tem Dempsey assumed the Chair.

Senator Nasheed moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Keaveny, Schupp, Onder and Walsh.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Holsman	Kraus	LeVota	Nasheed	Onder	Pearce	Schaaf	Schaefer
Schmitt	Schupp	Sifton	Silvey	Wasson—13			

NAYS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Hegeman	Keaveny
Kehoe	Libla	Munzlinger	Parson	Richard	Riddle	Romine	Sater
Schatz	Wallingford	Walsh	Wieland—20				

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—None

Senator Curls offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 1, In the Title, Line 6 of said page, by inserting after “session,” the following: “section 105.961 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.961 as enacted by senate bill no. 16, ninety-first general assembly, first regular session”; and

Further amend said bill, Page 25, Section 105.499, Line 26 of said page, by inserting after all of said line the following:

“[105.961. 1. Upon receipt of a complaint as described by section 105.957 or upon notification by the commission of an investigation under subsection 5 of section 105.959, the commission shall assign the complaint or investigation to a special investigator, who may be a commission employee, who shall investigate and determine the merits of the complaint or investigation. Within ten days of such assignment, the special investigator shall review such complaint and disclose, in writing, to the commission any conflict of interest which the special investigator has or might have with respect to the investigation and subject thereof. Within ninety days of receipt of the complaint from the commission, the special investigator shall submit the special investigator’s report to the commission. The commission, after review of such report, shall determine:

- (1) That there is reasonable grounds for belief that a violation has occurred; or
- (2) That there are no reasonable grounds for belief that a violation exists and the complaint or investigation shall be dismissed; or
- (3) That additional time is necessary to complete the investigation, and the status and progress of the investigation to date. The commission, in its discretion, may allow the investigation to proceed for no more than two additional successive periods of ninety days each, pending reports regarding the status and progress of the investigation at the end of each such period.

2. When the commission concludes, based on the report from the special investigator, or based on an investigation conducted pursuant to section 105.959, that there are reasonable grounds to believe that a violation of any criminal law has occurred, and if the commission believes that criminal prosecution would be appropriate upon a vote of four members of the commission, the commission shall refer the report to the Missouri office of prosecution services, prosecutors coordinators training council established in section 56.760, which shall submit a panel of five attorneys for recommendation to the court having criminal jurisdiction, for appointment of an attorney to serve as a special prosecutor; except that, the attorney general of Missouri or any assistant attorney general shall not act as such special prosecutor. The court shall then appoint from such panel a special prosecutor pursuant to section 56.110 who shall have all the powers provided by section 56.130. The court shall allow a reasonable and necessary attorney's fee for the services of the special prosecutor. Such fee shall be assessed as costs if a case is filed, or ordered by the court if no case is filed, and paid together with all other costs in the proceeding by the state, in accordance with rules and regulations promulgated by the state courts administrator, subject to funds appropriated to the office of administration for such purposes. If the commission does not have sufficient funds to pay a special prosecutor, the commission shall refer the case to the prosecutor or prosecutors having criminal jurisdiction. If the prosecutor having criminal jurisdiction is not able to prosecute the case due to a conflict of interest, the court may appoint a special prosecutor, paid from county funds, upon appropriation by the county or the attorney general to investigate and, if appropriate, prosecute the case. The special prosecutor or prosecutor shall commence an action based on the report by the filing of an information or seeking an indictment within sixty days of the date of such prosecutor's appointment, or shall file a written statement with the commission explaining why criminal charges should not be sought. If the special prosecutor or prosecutor fails to take either action required by this subsection, upon request of the commission, a new special prosecutor, who may be the attorney general, shall be appointed. The report may also be referred to the appropriate disciplinary authority over the person who is the subject of the report.

3. When the commission concludes, based on the report from the special investigator or based on an investigation conducted pursuant to section 105.959, that there are reasonable grounds to believe that a violation of any law has occurred which is not a violation of criminal law or that criminal prosecution is not appropriate, the commission shall conduct a hearing which shall be a closed meeting and not open to the public. The hearing shall be conducted pursuant to the procedures provided by sections 536.063 to 536.090 and shall be considered to be a contested case for purposes of such sections. The commission shall determine, in its discretion, whether or not that there is probable cause that a violation has occurred. If the commission determines, by a vote of at least four members of the commission, that probable cause exists that a violation has occurred, the commission may refer its findings and conclusions to the appropriate disciplinary authority over the person who is the subject of the report, as described in subsection 8 of this section.

4. If the appropriate disciplinary authority receiving a report from the commission pursuant to subsection 3 of this section fails to follow, within sixty days of the receipt of the report, the recommendations contained in the report, or if the commission determines, by a vote of at least four members of the commission that some action other than referral for

criminal prosecution or for action by the appropriate disciplinary authority would be appropriate, the commission shall take any one or more of the following actions:

(1) Notify the person to cease and desist violation of any provision of law which the report concludes was violated and that the commission may seek judicial enforcement of its decision pursuant to subsection 5 of this section;

(2) Notify the person of the requirement to file, amend or correct any report, statement, or other document or information required by sections 105.473, 105.483 to 105.492, or chapter 130 and that the commission may seek judicial enforcement of its decision pursuant to subsection 5 of this section; and

(3) File the report with the executive director to be maintained as a public document; or

(4) Issue a letter of concern or letter of reprimand to the person, which would be maintained as a public document; or

(5) Issue a letter that no further action shall be taken, which would be maintained as a public document; or

(6) Through reconciliation agreements or action of the commission, the power to seek fees for violations in an amount not greater than one thousand dollars or double the amount involved in the violation.

5. Upon vote of at least four members, the commission may initiate formal judicial proceedings in the circuit court of Cole County seeking to obtain any of the following orders:

(1) Cease and desist violation of any provision of sections 105.450 to 105.496, or chapter 130, or sections 105.955 to 105.963;

(2) Pay any civil penalties required by sections 105.450 to 105.496 or chapter 130;

(3) File any reports, statements, or other documents or information required by sections 105.450 to 105.496, or chapter 130; or

(4) Pay restitution for any unjust enrichment the violator obtained as a result of any violation of any criminal statute as described in subsection 7 of this section.

6. After the commission determines by a vote of at least four members of the commission that a violation has occurred, other than a referral for criminal prosecution, and the commission has referred the findings and conclusions to the appropriate disciplinary authority over the person who is the subject of the report, or has taken an action under subsection 4 of this section, the subject of the report may appeal the determination of the commission to the circuit court of Cole County. The court shall conduct a de novo review of the determination of the commission. Such appeal shall stay the action of the Missouri ethics commission. Such appeal shall be filed not later than the fourteenth day after the subject of the commission's action receives actual notice of the commission's action. If a petition for judicial review of a final order is not filed as provided in this section or when an order for fees under subsection 4 of this section becomes final following an appeal to the circuit court of Cole County, the commission may file a certified copy of the final order with

the circuit court of Cole County. When any order for fees under subsection 4 of this section becomes final, the commission may file a certified copy of the final order with the circuit court of Cole County. The order so filed shall have the same effect as a judgment of the court and may be recorded, enforced, or satisfied in the same manner as a judgment of the court.

7. In the proceeding in the circuit court of Cole County, the commission may seek restitution against any person who has obtained unjust enrichment as a result of violation of any provision of sections 105.450 to 105.496, or chapter 130 and may recover on behalf of the state or political subdivision with which the alleged violator is associated, damages in the amount of any unjust enrichment obtained and costs and attorney's fees as ordered by the court.

8. The appropriate disciplinary authority to whom a report shall be sent pursuant to subsection 2 or 3 of this section shall include, but not be limited to, the following:

(1) In the case of a member of the general assembly, the ethics committee of the house of which the subject of the report is a member;

(2) In the case of a person holding an elective office or an appointive office of the state, if the alleged violation is an impeachable offense, the report shall be referred to the ethics committee of the house of representatives;

(3) In the case of a person holding an elective office of a political subdivision, the report shall be referred to the governing body of the political subdivision;

(4) In the case of any officer or employee of the state or of a political subdivision, the report shall be referred to the person who has immediate supervisory authority over the employment by the state or by the political subdivision of the subject of the report;

(5) In the case of a judge of a court of law, the report shall be referred to the commission on retirement, removal and discipline, or if the inquiry involves an employee of the judiciary to the applicable presiding judge;

(6) In the case of a person holding an appointive office of the state, if the alleged violation is not an impeachable offense, the report shall be referred to the governor;

(7) In the case of a statewide elected official, the report shall be referred to the attorney general;

(8) In a case involving the attorney general, the report shall be referred to the prosecuting attorney of Cole County.

9. The special investigator having a complaint referred to the special investigator by the commission shall have the following powers:

(1) To request and shall be given access to information in the possession of any person or agency which the special investigator deems necessary for the discharge of the special investigator's responsibilities;

(2) To examine the records and documents of any person or agency, unless such examination would violate state or federal law providing for confidentiality;

(3) To administer oaths and affirmations;

(4) Upon refusal by any person to comply with a request for information relevant to an investigation, an investigator may issue a subpoena for any person to appear and give testimony, or for a subpoena duces tecum to produce documentary or other evidence which the investigator deems relevant to a matter under the investigator's inquiry. The subpoenas and subpoenas duces tecum may be enforced by applying to a judge of the circuit court of Cole County or any county where the person or entity that has been subpoenaed resides or may be found, for an order to show cause why the subpoena or subpoena duces tecum should not be enforced. The order and a copy of the application therefor shall be served in the same manner as a summons in a civil action, and if, after hearing, the court determines that the subpoena or subpoena duces tecum should be sustained and enforced, the court shall enforce the subpoena or subpoena duces tecum in the same manner as if it had been issued by the court in a civil action; and

(5) To request from the commission such investigative, clerical or other staff assistance or advancement of other expenses which are necessary and convenient for the proper completion of an investigation. Within the limits of appropriations to the commission, the commission may provide such assistance, whether by contract to obtain such assistance or from staff employed by the commission, or may advance such expenses.

10. (1) Any retired judge may request in writing to have the judge's name removed from the list of special investigators subject to appointment by the commission or may request to disqualify himself or herself from any investigation. Such request shall include the reasons for seeking removal;

(2) By vote of four members of the commission, the commission may disqualify a judge from a particular investigation or may permanently remove the name of any retired judge from the list of special investigators subject to appointment by the commission.

11. Any person who is the subject of any investigation pursuant to this section shall be entitled to be represented by counsel at any proceeding before the special investigator or the commission.

12. The provisions of sections 105.957, 105.959 and 105.961 are in addition to other provisions of law under which any remedy or right of appeal or objection is provided for any person, or any procedure provided for inquiry or investigation concerning any matter. The provisions of this section shall not be construed to limit or affect any other remedy or right of appeal or objection.

13. No person shall be required to make or file a complaint to the commission as a prerequisite for exhausting the person's administrative remedies before pursuing any civil cause of action allowed by law.

14. If, in the opinion of the commission, the complaining party was motivated by malice or reason contrary to the spirit of any law on which such complaint was based, in filing the complaint without just cause, this finding shall be reported to appropriate law enforcement authorities. Any person who knowingly files a complaint without just cause, or with malice, is guilty of a class A misdemeanor.

15. A respondent party who prevails in a formal judicial action brought by the commission shall be awarded those reasonable fees and expenses incurred by that party in the formal judicial action, unless the court finds that the position of the commission was substantially justified or that special circumstances make such an award unjust.

16. The special investigator and members and staff of the commission shall maintain confidentiality with respect to all matters concerning a complaint, with the exception of communications with any person which are necessary to the investigation. Any person who violates the confidentiality requirements imposed by this section or subsection 17 of section 105.955 required to be confidential is guilty of a class A misdemeanor and shall be subject to removal from or termination of employment by the commission.

17. Any judge of the court of appeals or circuit court who ceases to hold such office by reason of the judge's retirement and who serves as a special investigator pursuant to this section shall receive annual compensation, salary or retirement for such services at the rates of compensation provided for senior judges by subsections 1, 2 and 4 of section 476.682. Such retired judges shall by the tenth day of each month following any month in which the judge provided services pursuant to this section certify to the commission and to the state courts administrator the amount of time engaged in such services by hour or fraction thereof, the dates thereof, and the expenses incurred and allowable pursuant to this section. The commission shall then issue a warrant to the state treasurer for the payment of the salary and expenses to the extent, and within limitations, provided for in this section. The state treasurer upon receipt of such warrant shall pay the same out of any appropriations made for this purpose on the last day of the month during which the warrant was received by the state treasurer.]

105.961. 1. Upon receipt of a complaint as described by section 105.957, the commission shall assign the complaint to a special investigator, who may be a commission employee, who shall investigate and determine the merits of the complaint. Within ten days of such assignment, the special investigator shall review such complaint and disclose, in writing, to the commission any conflict of interest which the special investigator has or might have with respect to the investigation and subject thereof. Within one hundred twenty days of receipt of the complaint from the commission, the special investigator shall submit the special investigator's report to the commission. The commission, after review of such report, shall determine:

(1) That there is reasonable grounds for belief that a violation has occurred; or

(2) That there are no reasonable grounds for belief that a violation exists and the complaint should be dismissed; or

(3) That additional time is necessary to complete the investigation, and the status and progress of the investigation to date. The commission, in its discretion, may allow the investigation to proceed for additional successive periods of one hundred twenty days each, pending reports regarding the status and progress of the investigation at the end of each such period.

2. When the commission concludes, based on the report from the special investigator, or based on an audit conducted pursuant to section 105.959, that there are reasonable grounds to believe that a violation of any criminal law has occurred, and if the commission believes that criminal prosecution would be

appropriate upon a vote of four members of the commission, the commission shall refer the report to the Missouri office of prosecution services, prosecutors coordinators training council established in section 56.760, which shall submit a panel of five attorneys for recommendation to the court having criminal jurisdiction, for appointment of an attorney to serve as a special prosecutor; except that, the attorney general of Missouri or any assistant attorney general shall not act as such special prosecutor. The court shall then appoint from such panel a special prosecutor pursuant to section 56.110 who shall have all the powers provided by section 56.130. The court shall allow a reasonable and necessary attorney's fee for the services of the special prosecutor. Such fee shall be assessed as costs if a case is filed, or ordered by the court if no case is filed, and paid together with all other costs in the proceeding by the state, in accordance with rules and regulations promulgated by the state courts administrator, subject to funds appropriated to the office of administration for such purposes. If the commission does not have sufficient funds to pay a special prosecutor, the commission shall refer the case to the prosecutor or prosecutors having criminal jurisdiction. If the prosecutor having criminal jurisdiction is not able to prosecute the case due to a conflict of interest, the court may appoint a special prosecutor, paid from county funds, upon appropriation by the county or the attorney general to investigate and, if appropriate, prosecute the case. The special prosecutor or prosecutor shall commence an action based on the report by the filing of an information or seeking an indictment within sixty days of the date of such prosecutor's appointment, or shall file a written statement with the commission explaining why criminal charges should not be sought. If the special prosecutor or prosecutor fails to take either action required by this subsection, upon request of the commission, a new special prosecutor, who may be the attorney general, shall be appointed. The report may also be referred to the appropriate disciplinary authority over the person who is the subject of the report.

3. When the commission concludes, based on the report from the special investigator or based on an audit conducted pursuant to section 105.959, that there are reasonable grounds to believe that a violation of any law has occurred which is not a violation of criminal law or that criminal prosecution is not appropriate, the commission shall conduct a hearing which shall be a closed meeting and not open to the public. The hearing shall be conducted pursuant to the procedures provided by sections 536.063 to 536.090 and shall be considered to be a contested case for purposes of such sections. The commission shall determine, in its discretion, whether or not that there is probable cause that a violation has occurred. If the commission determines, by a vote of at least four members of the commission, that probable cause exists that a violation has occurred, the commission may refer its findings and conclusions to the appropriate disciplinary authority over the person who is the subject of the report, as described in subsection 7 of this section. After the commission determines by a vote of at least four members of the commission that probable cause exists that a violation has occurred, and the commission has referred the findings and conclusions to the appropriate disciplinary authority over the person subject of the report, the subject of the report may appeal the determination of the commission to the administrative hearing commission. Such appeal shall stay the action of the Missouri ethics commission. Such appeal shall be filed not later than the fourteenth day after the subject of the commission's action receives actual notice of the commission's action.

4. If the appropriate disciplinary authority receiving a report from the commission pursuant to subsection 3 of this section fails to follow, within sixty days of the receipt of the report, the recommendations contained in the report, or if the commission determines, by a vote of at least four members of the commission that some action other than referral for criminal prosecution or for action by the appropriate disciplinary authority would be appropriate, the commission shall take any one or more of the following actions:

(1) Notify the person to cease and desist violation of any provision of law which the report concludes was violated and that the commission may seek judicial enforcement of its decision pursuant to subsection 5 of this section;

(2) Notify the person of the requirement to file, amend or correct any report, statement, or other document or information required by sections 105.473, 105.483 to 105.492, or chapter 130 and that the commission may seek judicial enforcement of its decision pursuant to subsection 5 of this section; and

(3) File the report with the executive director to be maintained as a public document; or

(4) Issue a letter of concern or letter of reprimand to the person, which would be maintained as a public document; or

(5) Issue a letter that no further action shall be taken, which would be maintained as a public document; or

(6) Through reconciliation agreements or civil action, the power to seek fees for violations in an amount not greater than one thousand dollars or double the amount involved in the violation.

5. In the event that an individual is convicted of a crime under power granted by this section for violation of any provision of sections 105.450 to 105.496 or sections 105.955 to 105.963 or chapter 130, the ethics commission shall not seek civil penalties against such individual for violations of sections 105.450 to 105.496 or sections 105.955 to 105.963 or chapter 130.

6. Upon vote of at least four members, the commission may initiate formal judicial proceedings seeking to obtain any of the following orders:

(1) Cease and desist violation of any provision of sections 105.450 to 105.496, or chapter 130, or sections 105.955 to 105.963;

(2) Pay any civil penalties required by sections 105.450 to 105.496 or chapter 130;

(3) File any reports, statements, or other documents or information required by sections 105.450 to 105.496, or chapter 130; or

(4) Pay restitution for any unjust enrichment the violator obtained as a result of any violation of any criminal statute as described in subsection 6 of this section. The Missouri ethics commission shall give actual notice to the subject of the complaint of the proposed action as set out in this section. The subject of the complaint may appeal the action of the Missouri ethics commission, other than a referral for criminal prosecution, to the administrative hearing commission. Such appeal shall stay the action of the Missouri ethics commission. Such appeal shall be filed no later than fourteen days after the subject of the commission's actions receives actual notice of the commission's actions.

[6.] **7.** In the proceeding in circuit court, the commission may seek restitution against any person who has obtained unjust enrichment as a result of violation of any provision of sections 105.450 to 105.496, or chapter 130 and may recover on behalf of the state or political subdivision with which the alleged violator is associated, damages in the amount of any unjust enrichment obtained and costs and attorney's fees as ordered by the court.

[7.] **8.** The appropriate disciplinary authority to whom a report shall be sent pursuant to subsection 2 or 3 of this section shall include, but not be limited to, the following:

(1) In the case of a member of the general assembly, the ethics committee of the house of which the

subject of the report is a member;

(2) In the case of a person holding an elective office or an appointive office of the state, if the alleged violation is an impeachable offense, the report shall be referred to the ethics committee of the house of representatives;

(3) In the case of a person holding an elective office of a political subdivision, the report shall be referred to the governing body of the political subdivision;

(4) In the case of any officer or employee of the state or of a political subdivision, the report shall be referred to the person who has immediate supervisory authority over the employment by the state or by the political subdivision of the subject of the report;

(5) In the case of a judge of a court of law, the report shall be referred to the commission on retirement, removal and discipline, or if the inquiry involves an employee of the judiciary to the applicable presiding judge;

(6) In the case of a person holding an appointive office of the state, if the alleged violation is not an impeachable offense, the report shall be referred to the governor;

(7) In the case of a statewide elected official, the report shall be referred to the attorney general;

(8) In a case involving the attorney general, the report shall be referred to the prosecuting attorney of Cole County.

[8.] **9.** The special investigator having a complaint referred to the special investigator by the commission shall have the following powers:

(1) To request and shall be given access to information in the possession of any person or agency which the special investigator deems necessary for the discharge of the special investigator's responsibilities;

(2) To examine the records and documents of any person or agency, unless such examination would violate state or federal law providing for confidentiality;

(3) To administer oaths and affirmations;

(4) Upon refusal by any person to comply with a request for information relevant to an investigation, an investigator may issue a subpoena for any person to appear and give testimony, or for a subpoena duces tecum to produce documentary or other evidence which the investigator deems relevant to a matter under the investigator's inquiry. The subpoenas and subpoenas duces tecum may be enforced by applying to a judge of the circuit court of Cole County or any county where the person or entity that has been subpoenaed resides or may be found, for an order to show cause why the subpoena or subpoena duces tecum should not be enforced. The order and a copy of the application therefor shall be served in the same manner as a summons in a civil action, and if, after hearing, the court determines that the subpoena or subpoena duces tecum should be sustained and enforced, the court shall enforce the subpoena or subpoena duces tecum in the same manner as if it had been issued by the court in a civil action; and

(5) To request from the commission such investigative, clerical or other staff assistance or advancement of other expenses which are necessary and convenient for the proper completion of an investigation. Within the limits of appropriations to the commission, the commission may provide such assistance, whether by contract to obtain such assistance or from staff employed by the commission, or may advance such expenses.

[9.] **10.** (1) Any retired judge may request in writing to have the judge's name removed from the list of special investigators subject to appointment by the commission or may request to disqualify himself or herself from any investigation. Such request shall include the reasons for seeking removal;

(2) By vote of four members of the commission, the commission may disqualify a judge from a particular investigation or may permanently remove the name of any retired judge from the list of special investigators subject to appointment by the commission.

[10.] **11.** Any person who is the subject of any investigation pursuant to this section shall be entitled to be represented by counsel at any proceeding before the special investigator or the commission.

[11.] **12.** The provisions of sections 105.957, 105.959 and 105.961 are in addition to other provisions of law under which any remedy or right of appeal or objection is provided for any person, or any procedure provided for inquiry or investigation concerning any matter. The provisions of this section shall not be construed to limit or affect any other remedy or right of appeal or objection.

[12.] **13.** No person shall be required to make or file a complaint to the commission as a prerequisite for exhausting the person's administrative remedies before pursuing any civil cause of action allowed by law.

[13.] **14.** If, in the opinion of the commission, the complaining party was motivated by malice or reason contrary to the spirit of any law on which such complaint was based, in filing the complaint without just cause, this finding shall be reported to appropriate law enforcement authorities. Any person who knowingly files a complaint without just cause, or with malice, is guilty of a class A misdemeanor.

[14.] **15.** A respondent party who prevails in a formal judicial action brought by the commission shall be awarded those reasonable fees and expenses incurred by that party in the formal judicial action, unless the court finds that the position of the commission was substantially justified or that special circumstances make such an award unjust.

[15.] **16.** The special investigator and members and staff of the commission shall maintain confidentiality with respect to all matters concerning a complaint until and if a report is filed with the commission, with the exception of communications with any person which are necessary to the investigation. The report filed with the commission resulting from a complaint acted upon under the provisions of this section shall not contain the name of the complainant or other person providing information to the investigator, if so requested in writing by the complainant or such other person. Any person who violates the confidentiality requirements imposed by this section or subsection 17 of section 105.955 required to be confidential is guilty of a class A misdemeanor and shall be subject to removal from or termination of employment by the commission.

[16.] **17.** Any judge of the court of appeals or circuit court who ceases to hold such office by reason of the judge's retirement and who serves as a special investigator pursuant to this section shall receive annual compensation, salary or retirement for such services at the rates of compensation provided for senior judges by subsections 1, 2 and 4 of section 476.682. Such retired judges shall by the tenth day of each month following any month in which the judge provided services pursuant to this section certify to the commission and to the state courts administrator the amount of time engaged in such services by hour or fraction thereof, the dates thereof, and the expenses incurred and allowable pursuant to this section. The commission shall then issue a warrant to the state treasurer for the payment of the salary and expenses to the extent, and within limitations, provided for in this section. The state treasurer upon receipt of such warrant shall pay the same out of any appropriations made for this purpose on the last day of the month during which the

warrant was received by the state treasurer.”; and

Further amend the title and enacting clause accordingly.

Senator Curls moved that the above amendment be adopted, which motion failed.

Senator Holsman offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 21, Section 105.473, Line 27, by inserting after the word “made” the following: “**by a registered lobbyist in the state of Missouri**”.

Senator Holsman moved that the above amendment be adopted.

Senator Sifton offered **SSA 1** for **SA 4**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 1, In the Title, Line 2, of said title, by inserting immediately after “RSMo,” the following: “section 105.456 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session,”; and

Further amend said bill, Page 5, Section 105.453, Line 27 of said page, by inserting after all of said line the following:

“[105.456. 1. No member of the general assembly or the governor, lieutenant governor, attorney general, secretary of state, state treasurer or state auditor shall:

(1) Perform any service for the state or any political subdivision of the state or any agency of the state or any political subdivision thereof or act in his or her official capacity or perform duties associated with his or her position for any person for any consideration other than the compensation provided for the performance of his or her official duties; or

(2) Sell, rent or lease any property to the state or political subdivision thereof or any agency of the state or any political subdivision thereof for consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received; or

(3) Attempt, for compensation other than the compensation provided for the performance of his or her official duties, to influence the decision of any agency of the state on any matter, except that this provision shall not be construed to prohibit such person from participating for compensation in any adversary proceeding or in the preparation or filing of any public document or conference thereon. The exception for a conference upon a public document shall not permit any member of the general assembly or the governor, lieutenant governor, attorney

general, secretary of state, state treasurer or state auditor to receive any consideration for the purpose of attempting to influence the decision of any agency of the state on behalf of any person with regard to any application, bid or request for a state grant, loan, appropriation, contract, award, permit other than matters involving a driver's license, or job before any state agency, commission, or elected official. Notwithstanding Missouri supreme court rule 1.10 of rule 4 or any other court rule or law to the contrary, other members of a firm, professional corporation or partnership shall not be prohibited pursuant to this subdivision from representing a person or other entity solely because a member of the firm, professional corporation or partnership serves in the general assembly, provided that such official does not share directly in the compensation earned, so far as the same may reasonably be accounted, for such activity by the firm or by any other member of the firm. This subdivision shall not be construed to prohibit any inquiry for information or the representation of a person without consideration before a state agency or in a matter involving the state if no consideration is given, charged or promised in consequence thereof.

2. No sole proprietorship, partnership, joint venture, or corporation in which a member of the general assembly, governor, lieutenant governor, attorney general, secretary of state, state treasurer, state auditor or spouse of such official is the sole proprietor, a partner having more than a ten percent partnership interest, or a coparticipant or owner of in excess of ten percent of the outstanding shares of any class of stock, shall:

(1) Perform any service for the state or any political subdivision thereof or any agency of the state or political subdivision for any consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or sale made after public notice and competitive bidding, provided that the bid or offer accepted is the lowest received; or

(2) Sell, rent, or lease any property to the state or any political subdivision thereof or any agency of the state or political subdivision thereof for consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or a sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest and best received.

3. No statewide elected official, member of the general assembly, or any person acting on behalf of such official or member shall expressly and explicitly make any offer or promise to confer any paid employment, where the individual is compensated above actual and necessary expenses, to any statewide elected official or member of the general assembly in exchange for the official's or member's official vote on any public matter. Any person making such offer or promise is guilty of the crime of bribery of a public servant under section 576.010.

4. Any statewide elected official or member of the general assembly who accepts or agrees to accept an offer described in subsection 3 of this section is guilty of the crime of acceding to corruption under section 576.020.]

105.456. 1. No member of the general assembly or the governor, lieutenant governor, attorney general, secretary of state, state treasurer or state auditor shall:

(1) Perform any service for the state or any political subdivision of the state or any agency of the state or any political subdivision thereof or act in his or her official capacity or perform duties associated with his or her position for any person for any consideration other than the compensation provided for the performance of his or her official duties; or

(2) Sell, rent or lease any property to the state or political subdivision thereof or any agency of the state or any political subdivision thereof for consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received; or

(3) Attempt, for compensation other than the compensation provided for the performance of his or her official duties, to influence the decision of any agency of the state on any matter, except that this provision shall not be construed to prohibit such person from participating for compensation in any adversary proceeding or in the preparation or filing of any public document or conference thereon. The exception for a conference upon a public document shall not permit any member of the general assembly or the governor, lieutenant governor, attorney general, secretary of state, state treasurer or state auditor to receive any consideration for the purpose of attempting to influence the decision of any agency of the state on behalf of any person with regard to any application, bid or request for a state grant, loan, appropriation, contract, award, permit other than matters involving a driver's license, or job before any state agency, commission, or elected official. Notwithstanding Missouri supreme court rule 1.10 of rule 4 or any other court rule or law to the contrary, other members of a firm, professional corporation or partnership shall not be prohibited pursuant to this subdivision from representing a person or other entity solely because a member of the firm, professional corporation or partnership serves in the general assembly, provided that such official does not share directly in the compensation earned, so far as the same may reasonably be accounted, for such activity by the firm or by any other member of the firm. This subdivision shall not be construed to prohibit any inquiry for information or the representation of a person without consideration before a state agency or in a matter involving the state if no consideration is given, charged or promised in consequence thereof.

2. No sole proprietorship, partnership, joint venture, or corporation in which a member of the general assembly, governor, lieutenant governor, attorney general, secretary of state, state treasurer, state auditor or spouse of such official, is the sole proprietor, a partner having more than a ten percent partnership interest, or a coparticipant or owner of in excess of ten percent of the outstanding shares of any class of stock, shall:

(1) Perform any service for the state or any political subdivision thereof or any agency of the state or political subdivision for any consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or sale made after public notice and competitive bidding, provided that the bid or offer accepted is the lowest received; or

(2) Sell, rent, or lease any property to the state or any political subdivision thereof or any agency of the

state or political subdivision thereof for consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or a sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest and best received.

3. No member of the general assembly or the governor, lieutenant governor, attorney general, secretary of state, state treasurer, or state auditor, or such person's staff, employee, spouse, or dependent children shall accept any tangible or intangible item, service, or thing of value from any lobbyist as defined in section 105.470.”; and

Further amend said bill, Page 21, Section 105.473, Lines 27 to 28, by striking said lines; and

Further amend said bill and section, Page 22, lines 1 to 6 of said page, by striking said lines and inserting in lieu thereof the following: “lobbyists. [No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.]”; and

Further amend said bill and section, Page , Line 5 of said page, by inserting immediately after “13.” the following: **“No lobbyist shall make any contribution to, or expenditure for, any candidate committee formed by a candidate for statewide office, state representative, or state senator or any general assembly member's candidate committee for food, entertainment, lodging, or travel and such candidate committees shall be barred from receiving such items. For the purposes of this subsection, the term “candidate committee” shall have the same meaning as in section 130.011.**

14. No lobbyist shall deliver any tangible or intangible item, service, or thing of value to any statewide elected official, member of the general assembly or such person's staff, employee, spouse, or dependent children.

15.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above substitute amendment be adopted.

Senator Richard raised the point of order that **SSA 1** for **SA 4** goes beyond the scope of the bill.

Senator Kehoe assumed the Chair.

The point of order was referred to the President Pro Tem who took it under advisement, which placed **SB 11**, with **SCS**, **SS** for **SCS**, **SA 4**, **SSA 1** for **SA 4** and the point of order (pending), on the Informal Calendar.

Senator Kraus moved that **SB 18**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 18**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 18

An Act to repeal section 144.021, RSMo, and to enact in lieu thereof one new section relating to notice of sales tax modifications.

Was taken up.

Senator Kraus moved that **SCS** for **SB 18** be adopted.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 18, Page 1, Section 144.021, Line 17, by striking “sections 144.010 to 144.510” and inserting in lieu thereof the following: “**the sales tax law or the compensating use tax law**”.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SCS** for **SB 18**, as amended, be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 18**, as amended, was declared perfected and ordered printed.

COMMUNICATIONS

February 3, 2015

Mrs. Adriane Crouse, Secretary of the Senate
Missouri State Senate
State Capitol, Room 325
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

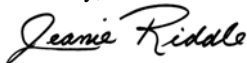
Dear Mrs. Crouse:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the Senate may vote during the legislative session. My husband and I are retired members of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the Senate.

Thank you for your attention to this matter.

Sincerely,



Sen. Jeanie Riddle

INTRODUCTIONS OF GUESTS

On behalf of Senators Hegeman, Munzlinger, Schaaf, Silvey and himself, Senator Pearce introduced to the Senate representatives of Great Northwest Day.

Senator Munzlinger introduced to the Senate, representatives of Truman State University, Kirksville.

Senator Silvey introduced to the Senate, representatives of Northland Regional Chamber of Commerce, Clay and Platte Counties.

Senator Schupp introduced to the Senate, Gordon Terhune and Herman Noah, St. Louis.

On behalf of Senator Brown and himself, Senator Kehoe introduced to the Senate, Carmen Hartwell and Deborah Krumwiede, Dixon.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTEENTH DAY—WEDNESDAY, FEBRUARY 4, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 234-Kehoe	SB 266-Schaefer
SB 235-Dixon	SB 267-Schaefer
SB 236-Keaveny	SB 268-Pearce
SB 237-Keaveny, et al	SB 269-Nasheed
SB 238-LeVota	SB 270-Nasheed
SB 239-Brown	SB 271-Silvey
SB 240-Keaveny and Schaaf	SB 272-Riddle, et al
SB 241-Keaveny	SB 273-Riddle
SB 242-Dixon	SB 274-Schupp
SB 243-Schmitt	SB 275-Schupp
SB 244-Schmitt	SB 276-Walsh
SB 245-Hegeman	SB 277-Walsh
SB 246-Hegeman	SB 278-Schatz
SB 247-Sifton	SB 279-Brown
SB 248-Schaefer	SB 280-Keaveny
SB 249-Holsman	SB 281-Silvey
SB 250-Onder	SB 282-Parson
SB 251-Onder	SB 283-Kehoe
SB 252-Romine	SB 284-Munzlinger
SB 253-Romine	SB 285-Kehoe
SB 254-Kraus	SB 286-Schaaf and Silvey
SB 255-Schaaf and Holsman	SB 287-Silvey
SB 256-Sater and Nasheed	SB 288-Schatz
SB 257-Sater	SB 289-Schatz
SB 258-Wallingford	SB 290-Schaefer
SB 259-Wallingford	SB 291-Cunningham
SB 260-Schaefer	SB 292-Munzlinger
SB 261-Schaefer	SB 293-Parson
SB 262-Schaefer	SB 294-Schaaf
SB 263-Schaefer	SB 295-Schaaf
SB 264-Schaefer	SB 296-Schaaf
SB 265-Schaefer	SB 297-Holsman

SB 298-Kraus	SB 338-Munzlinger
SB 299-Pearce	SB 339-Munzlinger
SB 300-Silvey	SB 340-Pearce
SB 301-Silvey	SB 341-Riddle
SB 302-Riddle	SB 342-Brown
SB 303-Keaveny	SB 343-Wasson
SB 304-Keaveny	SB 344-Wasson
SB 305-Onder	SB 345-Wasson
SB 306-Onder	SB 346-Wasson
SB 307-Curls	SB 347-Dixon
SB 308-Curls	SB 348-Schaefer
SB 309-Curls	SB 349-Schaefer
SB 310-Emery	SB 350-Schaefer
SB 311-Emery	SB 351-Schaefer
SB 312-Schmitt	SB 352-Schaefer
SB 313-Wallingford	SB 353-Silvey
SB 314-Wallingford	SB 354-Sater
SB 315-Dixon	SB 355-Brown
SB 316-Brown	SB 356-Nasheed
SB 317-Brown	SB 357-Nasheed
SB 318-Cunningham and Libla	SB 358-Kehoe
SB 319-Schaaf and Silvey	SB 359-Kehoe
SB 320-Wallingford	SB 360-Parson
SB 321-Hegeman	SB 361-Parson
SB 322-Dempsey	SB 362-Parson
SB 323-Munzlinger	SB 363-Parson
SB 324-Munzlinger	SB 364-Parson
SB 325-Sater	SB 365-Schmitt
SB 326-Sater	SB 366-Schmitt
SB 327-Onder	SB 367-Kraus
SB 328-Schupp	SB 368-Pearce
SB 329-Schupp	SB 369-Pearce
SB 330-Parson	SB 370-Munzlinger
SB 331-Libla	SB 371-Munzlinger
SB 332-Nasheed	SB 372-Keaveny
SB 333-Nasheed	SB 373-Libla
SB 334-Nasheed	SB 374-Schatz
SB 335-Holsman	SB 375-Schatz
SB 336-Kraus	SB 376-Schatz
SB 337-Munzlinger	SB 377-Schatz

SB 378-Schatz	SB 394-Wallingford
SB 379-Schatz	SJR 1-Munzlinger
SB 380-Wieland	SJR 2-Dixon
SB 381-Dixon	SJR 3-Chappelle-Nadal
SB 382-Dixon	SJR 4-Emery
SB 383-Wallingford	SJR 5-Kraus
SB 384-Munzlinger	SJR 6-Curls
SB 385-Keaveny	SJR 7-Richard and Wallingford
SB 386-Keaveny	SJR 8-Schmitt
SB 387-Wasson	SJR 9-Schmitt
SB 388-Wasson	SJR 10-Sater
SB 389-Silvey and Walsh	SJR 11-Emery
SB 390-Curls	SJR 12-Onder
SB 391-Curls	SJR 13-Schaaf
SB 392-Wieland	SJR 14-Dixon
SB 393-Schupp	

SENATE BILLS FOR PERFECTION

SB 15-Dixon and LeVota, with SCS	SB 26-Sater and Schupp, with SCS
SB 14-Munzlinger	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 11-Richard, with SCS, SS for SCS, SA 4,
SSA 1 for SA 4 & point of order (pending)

RESOLUTIONS

To be Referred

SCR 13-Curls	SCR 14-Schaefer
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MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

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Journal of the Senate

FIRST REGULAR SESSION

SIXTEENTH DAY—WEDNESDAY, FEBRUARY 4, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The heavens are telling the glory of God; and the firmament proclaims his handiwork.” (Psalm 19.1)

O creator God, who hath bound together heaven and earth, let us walk through this world comforted and protected by the warmth of Your love. Heal us as we stand before You in the divine light of Your presence and strengthen us, giving us hope and joy that is found there. Help us, O Lord to rest in silence and discover Your peace. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

Absent—Senators—None

Absent with leave—Senator Cunningham—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Walsh offered Senate Resolution No. 246, regarding Raymond J. Underwood, Sr., Florissant, which was adopted.

Senator Parson offered Senate Resolution No. 247, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Cleo Cunningham, Bolivar, which was adopted.

Senator Sater offered Senate Resolution No. 248, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Melvin Lacey, Exeter, which was adopted.

Senator Sater offered Senate Resolution No. 249, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Gary Springer, Crane, which was adopted.

Senator Sater offered Senate Resolution No. 250, regarding the Blue Eye Library, which was adopted.

Senator Sater offered Senate Resolution No. 251, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Charles Weathers, Cassville, which was adopted.

Senator Dempsey offered Senate Resolution No. 252, regarding Brandt Contracting, Incorporated, Saint Charles, which was adopted.

Senator LeVota offered Senate Resolution No. 253, regarding the National Champion Fort Osage High School Cheerleading program, Independence, which was adopted.

Senator Dempsey offered Senate Resolution No. 254, regarding Linda Greathouse, which was adopted.

Senator Dempsey offered Senate Resolution No. 255, regarding Tom Kuypers, which was adopted.

Senator Dempsey offered Senate Resolution No. 256, regarding Serena Boschert, which was adopted.

Senator Dempsey offered Senate Resolution No. 257, regarding Matthew Johannesman, which was adopted.

Senator Dempsey offered Senate Resolution No. 258, regarding the Honorable Lucy Rauch, which was adopted.

Senator Schaaf offered Senate Resolution No. 259, regarding Andrew Neil Danner, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 260, regarding Brandon Scott Fitzgerald, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 261, regarding Bryson Dean Grau, Platte Woods, which was adopted.

Senator Schaaf offered Senate Resolution No. 262, regarding Gordon Michael Hendrix, Kansas City, which was adopted.

CONCURRENT RESOLUTIONS

Senator Riddle offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 15

Relating to the designation of March as women veterans' month.

Whereas, each year Americans pause during the month of March to pay special tribute to the contributions that women have made to our national life, and outstanding among the myriad roles that women have assumed over the course of this country's history have been those undertaken as part of the nation's armed forces; and

Whereas, long before they gained regular admission to the military, thousands of women assisted the uniformed branches in a variety of ways; they worked as nurses, water bearers, laundresses, and cooks, sometimes served as spies and saboteurs, and on occasion even took up arms; and

Whereas, in 1901, the United States Army broke new ground by creating an actual nurses corps, and the navy followed in 1908; the ranks of these units swelled during World War I, when nearly 23,000 women served as nurses within the American military; the U.S. Navy and Marine Corps enlisted nearly 13,000 additional women as yeomen and reservists and assigned them to duty stateside, to free their male counterparts for combat at sea and abroad; and

Whereas, the participation of women in the military surged during World War II, with more than 400,000 filling posts at home and overseas; to more fully utilize their abilities, the army established the Women's Army Auxiliary Corps, later known as the Women's Army Corps; the army also created the WASP (Women Airforce Service Pilots), while the navy organized the WAVES (Women Accepted for Volunteer Emergency Service), the Marine Corps established the Marine Corps Women's Reserve, and the Coast Guard created a reserve unit known as the SPARs; in spite of widespread misgivings about their suitability for the work, women proved themselves in a wide array of assignments, and in 1948 an Act of Congress granted them permanent status in the regular and reserve forces; and

Whereas, barriers to the participation of women in the military continued to fall; legal provisions placing a two percent cap on the number of women serving and a ceiling on the highest grade a woman could achieve were repealed in 1967; by 1972, the various Reserve Officers' Training Corps programs were opened to women, and in 1976 women were admitted to the service academies; they are now eligible to enter more than 90 percent of all career fields in the armed forces; and

Whereas, women have continued to deploy in times of conflict: some 1,000 served in theater during the Korean War and 7,500 during the Vietnam War; hundreds saw duty in operations in Central America in the 1980s, and in 1991, 41,000 women served in theater in Operation Desert Storm; and

Whereas, today, approximately 344,500 women are serving in the United States military; they constitute about 14 percent of active duty personnel and about 10 percent of the American forces in Iraq and Afghanistan; and

Whereas, the operations focused on those two countries have placed enormous demands on all who have taken part; like their male compatriots, many women have served multiple tours, and large numbers have been injured, many grievously; as of mid-January 2011, 136 women had given their lives in those two wars; and

Whereas, the increased involvement of women in the military is reflected by the number of women veterans, which now totals 1.8 million; Missouri is home to more than 45,340 women veterans; and

Whereas, Missourians have always honored the selflessness and sacrifice of those who perform military service, and these women are indeed worthy of that recognition; it is also fitting that needs they have incurred in connection with that service be acknowledged and alleviated, whether they concern physical or psychological wounds or the challenges of caring for their families or reintegrating into civilian life; and

Whereas, the women who have served in the United States armed forces have demonstrated tenacity, courage, and professionalism, and they are deserving of their fellow citizens' deepest gratitude and unfailing support:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby designate the month of March each year from 2015 through 2025 as Women Veterans' Month in tribute to the immeasurable contributions that women in the military have made to this nation; and

Be It Further Resolved that the General Assembly encourages and urges all citizens of this state to reflect upon the service and sacrifices of women veterans; and

Be It Further Resolved that the Secretary of the Senate be instructed to send properly inscribed copies of this resolution to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 395—By Holsman.

An Act to repeal sections 195.202, 195.211, 195.222, 195.223, and 263.250, RSMo, and to enact in lieu thereof thirty-five sections relating to cannabis, with penalty provisions.

SB 396—By Holsman.

An Act to amend chapter 389, RSMo, by adding thereto one new section relating to train conductors.

SB 397—By Silvey.

An Act to repeal sections 67.1421, 67.1422, and 67.1461, RSMo, and to enact in lieu thereof three new sections relating to community improvement districts.

SB 398—By Schatz.

An Act to amend chapter 71, RSMo, by adding thereto one new section relating to design-build contracts.

SB 399—By Onder.

An Act to repeal sections 115.225 and 115.237, RSMo, and to enact in lieu thereof three new sections relating to elections.

SB 400—By Onder.

An Act to amend chapter 334, RSMo, by adding thereto one new section relating to continuing education requirements for physicians.

SB 401—By Schmitt and Richard.

An Act to repeal section 99.845, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

SB 402—By Wieland.

An Act to amend chapter 375, RSMo, by adding thereto one new section relating to workers' compensation large deductible policies.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 18** and **SCS** for **SB 38**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Richard moved that **SB 11**, with **SCS**, **SS** for **SCS**, **SA 4**, **SSA 1** for **SA 4** and point of order (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

At the request of Senator Sifton, **SSA 1** for **SA 4** was withdrawn, rendering the point of order moot.

At the request of Senator Holsman, **SA 4** was withdrawn.

At the request of Senator Richard, **SS** for **SCS** for **SB 11**, as amended, was withdrawn.

Senator Richard offered **SS No. 2** for **SCS** for **SB 11**, entitled:

**SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 11**

An Act to repeal sections 105.450 and 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof five new sections relating to regulating the ethical behavior of professionals engaged in political activities, with existing penalty provisions.

Senator Richard moved that **SS No. 2** for **SCS** for **SB 11** be adopted.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 11, Page 1, In the Title, Line 2 of said title, by inserting immediately after “RSMo,” the following: “section 105.456 as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1120, ninety-first general assembly, second regular session,”; and

Further amend said bill, Page 5, Section 105.453, Line 25 of said page, by inserting after all of said line the following:

“[105.456. 1. No member of the general assembly or the governor, lieutenant governor, attorney general, secretary of state, state treasurer or state auditor shall:

(1) Perform any service for the state or any political subdivision of the state or any agency of the state or any political subdivision thereof or act in his or her official capacity or perform duties associated with his or her position for any person for any consideration other than the compensation provided for the performance of his or her official duties; or

(2) Sell, rent or lease any property to the state or political subdivision thereof or any agency of the state or any political subdivision thereof for consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of

property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received; or

(3) Attempt, for compensation other than the compensation provided for the performance of his or her official duties, to influence the decision of any agency of the state on any matter, except that this provision shall not be construed to prohibit such person from participating for compensation in any adversary proceeding or in the preparation or filing of any public document or conference thereon. The exception for a conference upon a public document shall not permit any member of the general assembly or the governor, lieutenant governor, attorney general, secretary of state, state treasurer or state auditor to receive any consideration for the purpose of attempting to influence the decision of any agency of the state on behalf of any person with regard to any application, bid or request for a state grant, loan, appropriation, contract, award, permit other than matters involving a driver's license, or job before any state agency, commission, or elected official. Notwithstanding Missouri supreme court rule 1.10 of rule 4 or any other court rule or law to the contrary, other members of a firm, professional corporation or partnership shall not be prohibited pursuant to this subdivision from representing a person or other entity solely because a member of the firm, professional corporation or partnership serves in the general assembly, provided that such official does not share directly in the compensation earned, so far as the same may reasonably be accounted, for such activity by the firm or by any other member of the firm. This subdivision shall not be construed to prohibit any inquiry for information or the representation of a person without consideration before a state agency or in a matter involving the state if no consideration is given, charged or promised in consequence thereof.

2. No sole proprietorship, partnership, joint venture, or corporation in which a member of the general assembly, governor, lieutenant governor, attorney general, secretary of state, state treasurer, state auditor or spouse of such official is the sole proprietor, a partner having more than a ten percent partnership interest, or a coparticipant or owner of in excess of ten percent of the outstanding shares of any class of stock, shall:

(1) Perform any service for the state or any political subdivision thereof or any agency of the state or political subdivision for any consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or sale made after public notice and competitive bidding, provided that the bid or offer accepted is the lowest received; or

(2) Sell, rent, or lease any property to the state or any political subdivision thereof or any agency of the state or political subdivision thereof for consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or a sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest and best received.

3. No statewide elected official, member of the general assembly, or any person acting on behalf of such official or member shall expressly and explicitly make any offer or promise to confer any paid employment, where the individual is compensated above actual and necessary expenses, to any statewide elected official or member of the general assembly in exchange for the

official's or member's official vote on any public matter. Any person making such offer or promise is guilty of the crime of bribery of a public servant under section 576.010.

4. Any statewide elected official or member of the general assembly who accepts or agrees to accept an offer described in subsection 3 of this section is guilty of the crime of acceding to corruption under section 576.020.]

105.456. 1. No member of the general assembly or the governor, lieutenant governor, attorney general, secretary of state, state treasurer or state auditor shall:

(1) Perform any service for the state or any political subdivision of the state or any agency of the state or any political subdivision thereof or act in his or her official capacity or perform duties associated with his or her position for any person for any consideration other than the compensation provided for the performance of his or her official duties; or

(2) Sell, rent or lease any property to the state or political subdivision thereof or any agency of the state or any political subdivision thereof for consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest received; or

(3) Attempt, for compensation other than the compensation provided for the performance of his or her official duties, to influence the decision of any agency of the state on any matter, except that this provision shall not be construed to prohibit such person from participating for compensation in any adversary proceeding or in the preparation or filing of any public document or conference thereon. The exception for a conference upon a public document shall not permit any member of the general assembly or the governor, lieutenant governor, attorney general, secretary of state, state treasurer or state auditor to receive any consideration for the purpose of attempting to influence the decision of any agency of the state on behalf of any person with regard to any application, bid or request for a state grant, loan, appropriation, contract, award, permit other than matters involving a driver's license, or job before any state agency, commission, or elected official. Notwithstanding Missouri supreme court rule 1.10 of rule 4 or any other court rule or law to the contrary, other members of a firm, professional corporation or partnership shall not be prohibited pursuant to this subdivision from representing a person or other entity solely because a member of the firm, professional corporation or partnership serves in the general assembly, provided that such official does not share directly in the compensation earned, so far as the same may reasonably be accounted, for such activity by the firm or by any other member of the firm. This subdivision shall not be construed to prohibit any inquiry for information or the representation of a person without consideration before a state agency or in a matter involving the state if no consideration is given, charged or promised in consequence thereof.

2. No sole proprietorship, partnership, joint venture, or corporation in which a member of the general assembly, governor, lieutenant governor, attorney general, secretary of state, state treasurer, state auditor or spouse of such official, is the sole proprietor, a partner having more than a ten percent partnership interest, or a coparticipant or owner of in excess of ten percent of the outstanding shares of any class of stock, shall:

(1) Perform any service for the state or any political subdivision thereof or any agency of the state or

political subdivision for any consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or sale made after public notice and competitive bidding, provided that the bid or offer accepted is the lowest received; or

(2) Sell, rent, or lease any property to the state or any political subdivision thereof or any agency of the state or political subdivision thereof for consideration in excess of five hundred dollars per transaction or one thousand five hundred dollars per annum unless the transaction is made pursuant to an award on a contract let or a sale made after public notice and in the case of property other than real property, competitive bidding, provided that the bid or offer accepted is the lowest and best received.

3. No member of the general assembly or the governor, lieutenant governor, attorney general, secretary of state, state treasurer, or state auditor, or such person's staff, employee, spouse, or dependent children shall accept any tangible or intangible item, service, or thing of value from any lobbyist as defined in section 105.470.”; and

Further amend said bill, Page 21, Section 105.473, Lines 24-28 of said page, by striking all of said lines; and

Further amend said bill and section, Page 22, lines 1 to 6 of said page, by striking said lines and inserting in lieu thereof the following: “lobbyists. [No expenditure shall be made on behalf of a state senator or state representative, or such public official's staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the”]; and

Further amend said bill and section, Page 24, Line 8 of said page, by inserting immediately after “13.” the following: “**No lobbyist shall deliver any tangible or intangible item, service, or thing of value to any statewide elected official, member of the general assembly or such person's staff, employee, spouse, or dependent children.**

14.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted, which motion failed.

Senator Dixon offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 11, Page 26, Section 105.499, Line 1 of said page, by inserting after all of said line the following:

“Section B. Notwithstanding the provisions of section 1.140, RSMo, to the contrary, the provisions of this act shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of this act.”; and

Further amend the title accordingly.

Senator Dixon moved that the above amendment be adopted, which motion failed.

Senator Schmitt assumed the Chair.

Senator LeVota offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 11, Page 5, Section 105.453, Line 22 of said page, by inserting after “3.” the following: **“order to regulate the ethical behavior of professionals engaged in political activities, in addition to the limitations imposed under section 130.031, the amount of contributions made by or accepted from any person, including lobbyists, other than the candidate in any one election shall not exceed the following:**

(1) To elect an individual to the office of governor, lieutenant governor, secretary of state, state treasurer, state auditor, or attorney general, five thousand dollars;

(2) To elect an individual to the office of state senator, one thousand five hundred dollars;

(3) To elect an individual to the office of state representative, seven hundred fifty dollars;

(4) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census does not exceed fifty thousand, seven hundred fifty dollars;

(5) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census is more than fifty thousand but does not exceed one hundred fifty thousand, one thousand five hundred dollars; and

(6) To elect an individual to any other office, including judicial office, if the population of the electoral district, ward, or other unit according to the latest decennial census is greater than one hundred fifty thousand, five thousand dollars.

4. The amount of aggregate contributions made by any single contributor in a calendar year to any political party committee shall not exceed thirty-two thousand four hundred dollars.

5. For purposes of this subsection, “base year amount” shall be the contribution limits prescribed in this section on January 1, 2016. Such limits shall be increased on the first day of January in each odd-numbered year by multiplying the base year amount by the cumulative consumer price index, as defined in section 104.010 and rounded to the nearest twenty-five dollar amount, for all years since January 1, 2016.

6. Every committee established under chapter 130 shall be subject to the limits prescribed in subsection 3 of this section. The provisions of this subsection shall not limit the amount of contributions that may be accumulated by a candidate committee and used for expenditures to further the nomination or election of the candidate who controls such candidate committee.

7. Contributions from persons under fourteen years of age shall be considered made by the parents or guardians of such person and shall be attributed toward any contribution limits prescribed in chapter 130. Where the contributor under fourteen years of age has two custodial parents or guardians, fifty percent of the contribution shall be attributed to each parent or guardian, and where such contributor has one custodial parent or guardian, all such contributions shall be attributed to the custodial parent or guardian.

8. Any committee that accepts or gives contributions other than those allowed shall be subject to a surcharge of one thousand dollars plus an amount equal to the contribution per nonallowable contribution, to be paid to the ethics commission and which shall be transferred to the director of revenue, upon notification of such nonallowable contribution by the ethics commission, and after the candidate has had ten business days after receipt of notice to return the contribution to the contributor. The candidate and the candidate committee treasurer or deputy treasurer owing a surcharge shall be personally liable for the payment of the surcharge or may pay such surcharge only from campaign funds existing on the date of the receipt of notice. Such surcharge shall constitute a debt to the state enforceable under, but not limited to, the provisions of chapter 143.

9. “;and further amend line 23 of said page, by striking “and “candidate committee”” and inserting in lieu thereof the following: “candidate committee”, “committee”, and “contribution”.”

Senator LeVota moved that the above amendment be adopted.

Senator Richard raised the point of order that **SA 3** is out of order as it exceeds the intent, scope and purpose of the bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Schaefer offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 11, Page 26, Section 105.499, Line 1, by inserting after all of said line the following:

“172.300. 1. The curators may appoint and remove, at discretion, the president, deans, professors, instructors and other employees of the university; define and assign their powers and duties, and fix their compensation, and such compensation may include payments under, or provision for, such retirement, disability, or death plan or plans as the curators deem proper for persons employed by the university and paid out of any of its public funds for educational services, their beneficiaries or estates, and the curators may administer such plan or plans under such rules and regulations as they deem proper; and for these purposes the curators may use state-appropriated or other public funds under their control and pay or transfer such funds into a fund or funds for paying such benefits, and they may enter into agreements for and make contributions to both voluntary and statutory plans for paying such benefits.

2. (1) No member of the board of curators shall vote to appoint to, hire, or in any way employ in any position in the university any person who appointed him or her to the board of curators.

(2) Any vote, as described in subdivision (1) of this subsection, taken by a curator shall be null and void.

(3) Any curator voting in violation of this subsection shall immediately forfeit his or her curator position.”; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

Senator Richard raised the point of order that **SA 4** is out of order as it exceeds the scope and intent of the bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Richard moved that **SS No. 2** for **SCS** for **SB 11** be adopted, which motion prevailed.

Senator Richard moved that **SS No. 2** for **SCS** for **SB 11** be perfected and ordered printed.

Senator Holsman requested a roll call vote be taken on the perfection of **SS No. 2** for **SCS** for **SB 11**. He was joined in his request by Senators Schupp, LeVota, Keaveny and Walsh.

SS No. 2 for **SCS** for **SB 11** was declared perfected and ordered printed by the following vote:

YEAS—Senators

Brown	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal Nasheed—2

Absent with leave—Senator Cunningham—1

Vacancies—None

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 259**, entitled:

An Act to amend chapter 261, RSMo, by adding thereto six new sections relating to the dairy industry.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 150**, entitled:

An Act to repeal sections 288.060, 288.122, and 288.330, RSMo, and to enact in lieu thereof three new sections relating to employment security.

In which the concurrence of the Senate is respectfully requested.

Read first time.

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 15**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 15**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 15

An Act to repeal sections 136.380 and 144.021, RSMo, and to enact in lieu thereof five new sections relating to taxation.

Was taken up.

Senator Dixon moved that **SCS** for **SB 15** be adopted.

Senators Dixon and LeVota offered **SS** for **SCS** for **SB 15**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 15

An Act to amend chapter 136, RSMo, by adding thereto one new section relating to a commission to study state tax policy.

Senator Dixon moved that **SS** for **SCS** for **SB 15** be adopted, which motion prevailed.

On motion of Senator Dixon, **SS** for **SCS** for **SB 15** was declared perfected and ordered printed.

REFERRALS

President Pro Tem Dempsey referred **SCS** for **SB 18** and **SCS** for **SB 38** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **SCR 13** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred the Committee indicated:

SCR 14—Rules, Joint Rules, Resolutions and Ethics.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

February 4, 2015

Adriane Crouse
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse,

I am appointing Sen. Riddle to the Joint Committee on Child Abuse and Neglect. If you have any questions, please don't hesitate to contact

my office.

Sincerely



Tom Dempsey
President Pro Tem

Also,

February 4, 2015

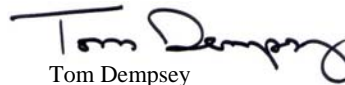
Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Please be advised that I have appointed Senator Dave Schatz to the MoDOT and Patrol Employees' Retirement System (MPERS) Board of Trustees.

If you have any questions, please do not hesitate to contact me.

Sincerely,


Tom Dempsey

INTRODUCTIONS OF GUESTS

The President introduced to the Senate, U.S. District Judge Stephen Limbaugh, Cape Girardeau; and Dr. Gary Kremer, Columbia.

Senator Richard introduced to the Senate, representatives of State Historical Day: Amanda Morrison, Springfield; Katharine Moseley, Independence; Michaela Scarrow, Emily McBride, Ellen Auduong and Erin Lowe, Kansas City; Phoebe Watson, Joplin; Quinn Lasley and Elijah Paden, Carthage; Maycie Mayfield, Trenton; Maddie Enright, Elizabeth Miller and Joshua Schoonover, Princeton; and Sonya Hu, Columbia.

Senator Keaveny introduced to the Senate, the Physician of the Day, Dr. Matt Casey, Brentwood.

Senator Dixon introduced to the Senate, Michael Moore and Wes Hester, Springfield.

Senator Kehoe introduced to the Senate, Macey Hurst, Meta.

Senator Kehoe introduced to the Senate, Chris Thompson and Mary Paulsell; and John Smallwood, Jefferson City.

Senator Kehoe introduced to the Senate, members of the Fatima High School 2014 State Second Place Volleyball team, State Second Place Baseball team, State Fourth Place Boys Cross Country Team, Class 2 State Champion Softball team, and Class 2 State Champion Girls Cross Country Team, Westphalia.

Senator Parson introduced to the Senate, Coaches Mark Sabala and Julie Yowell; and team members Bailey Jones, Ivan Long, Jeff Salmon, Easton Sabala, Zac Sutt, Mitch Bigham, Dillon Meyer, Cody Munsey, Jesse Strouse, Darek Reeves, Logan Eldred, and Austin Hostettler, Class 1 State Champion

Hermitage High School Boys Cross Country Team.

Senator Levota introduced to the Senate, Daisy Ramirez, Jackson County.

Senator Schupp introduced to the Senate, Arielle Speer, Joplin; and Bev Cowling, O'Fallon.

Senator Holsman introduced to the Senate, Arthur St. Onge, Kansas City.

Senator Walsh introduced to the Senate, Kevin Fitzgerald, St. Louis County.

Senator Dempsey introduced to the Senate, former State Senator Phil Snowden, Kansas City.

Senator Holsman introduced to the Senate, Erin Lowe, Kansas City.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SEVENTEENTH DAY—THURSDAY, FEBRUARY 5, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 234-Kehoe	SB 253-Romine
SB 235-Dixon	SB 254-Kraus
SB 236-Keaveny	SB 255-Schaaf and Holsman
SB 237-Keaveny, et al	SB 256-Sater and Nasheed
SB 238-LeVota	SB 257-Sater
SB 239-Brown	SB 258-Wallingford
SB 240-Keaveny and Schaaf	SB 259-Wallingford
SB 241-Keaveny	SB 260-Schaefer
SB 242-Dixon	SB 261-Schaefer
SB 243-Schmitt	SB 262-Schaefer
SB 244-Schmitt	SB 263-Schaefer
SB 245-Hegeman	SB 264-Schaefer
SB 246-Hegeman	SB 265-Schaefer
SB 247-Sifton	SB 266-Schaefer
SB 248-Schaefer	SB 267-Schaefer
SB 249-Holsman	SB 268-Pearce
SB 250-Onder	SB 269-Nasheed
SB 251-Onder	SB 270-Nasheed
SB 252-Romine	SB 271-Silvey

SB 272-Riddle, et al	SB 312-Schmitt
SB 273-Riddle	SB 313-Wallingford
SB 274-Schupp	SB 314-Wallingford
SB 275-Schupp	SB 315-Dixon
SB 276-Walsh	SB 316-Brown
SB 277-Walsh	SB 317-Brown
SB 278-Schatz	SB 318-Cunningham and Libla
SB 279-Brown	SB 319-Schaaf and Silvey
SB 280-Keaveny	SB 320-Wallingford
SB 281-Silvey	SB 321-Hegeman
SB 282-Parson	SB 322-Dempsey
SB 283-Kehoe	SB 323-Munzlinger
SB 284-Munzlinger	SB 324-Munzlinger
SB 285-Kehoe	SB 325-Sater
SB 286-Schaaf and Silvey	SB 326-Sater
SB 287-Silvey	SB 327-Onder
SB 288-Schatz	SB 328-Schupp
SB 289-Schatz	SB 329-Schupp
SB 290-Schaefer	SB 330-Parson
SB 291-Cunningham	SB 331-Libla
SB 292-Munzlinger	SB 332-Nasheed
SB 293-Parson	SB 333-Nasheed
SB 294-Schaaf	SB 334-Nasheed
SB 295-Schaaf	SB 335-Holsman
SB 296-Schaaf	SB 336-Kraus
SB 297-Holsman	SB 337-Munzlinger
SB 298-Kraus	SB 338-Munzlinger
SB 299-Pearce	SB 339-Munzlinger
SB 300-Silvey	SB 340-Pearce
SB 301-Silvey	SB 341-Riddle
SB 302-Riddle	SB 342-Brown
SB 303-Keaveny	SB 343-Wasson
SB 304-Keaveny	SB 344-Wasson
SB 305-Onder	SB 345-Wasson
SB 306-Onder	SB 346-Wasson
SB 307-Curls	SB 347-Dixon
SB 308-Curls	SB 348-Schaefer
SB 309-Curls	SB 349-Schaefer
SB 310-Emery	SB 350-Schaefer
SB 311-Emery	SB 351-Schaefer

SB 352-Schaefer	SB 385-Keaveny
SB 353-Silvey	SB 386-Keaveny
SB 354-Sater	SB 387-Wasson
SB 355-Brown	SB 388-Wasson
SB 356-Nasheed	SB 389-Silvey and Walsh
SB 357-Nasheed	SB 390-Curls
SB 358-Kehoe	SB 391-Curls
SB 359-Kehoe	SB 392-Wieland
SB 360-Parson	SB 393-Schupp
SB 361-Parson	SB 394-Wallingford
SB 362-Parson	SB 395-Holsman
SB 363-Parson	SB 396-Holsman
SB 364-Parson	SB 397-Silvey
SB 365-Schmitt	SB 398-Schatz
SB 366-Schmitt	SB 399-Onder
SB 367-Kraus	SB 400-Onder
SB 368-Pearce	SB 401-Schmitt and Richard
SB 369-Pearce	SB 402-Wieland
SB 370-Munzlinger	SJR 1-Munzlinger
SB 371-Munzlinger	SJR 2-Dixon
SB 372-Keaveny	SJR 3-Chappelle-Nadal
SB 373-Libla	SJR 4-Emery
SB 374-Schatz	SJR 5-Kraus
SB 375-Schatz	SJR 6-Curls
SB 376-Schatz	SJR 7-Richard and Wallingford
SB 377-Schatz	SJR 8-Schmitt
SB 378-Schatz	SJR 9-Schmitt
SB 379-Schatz	SJR 10-Sater
SB 380-Wieland	SJR 11-Emery
SB 381-Dixon	SJR 12-Onder
SB 382-Dixon	SJR 13-Schaaf
SB 383-Wallingford	SJR 14-Dixon
SB 384-Munzlinger	

HOUSE BILLS ON SECOND READING

HCS for HB 259

HB 150-Fitzpatrick

THIRD READING OF SENATE BILLS

SCS for SB 18-Kraus
(In Fiscal Oversight)

SCS for SB 38-Romine
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 14-Munzlinger

SB 26-Sater and Schupp, with SCS

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 15-Riddle

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

✓

Journal of the Senate

FIRST REGULAR SESSION

SEVENTEENTH DAY—THURSDAY, FEBRUARY 5, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“O Most High, when I am afraid, I put my trust in you. In God, whose word I praise, in God I trust; I am not afraid....” (Psalm 56:2b-4a)

Gracious God, we face many difficulties every day and it wears us down most times, but in the midst of what we face, we rely on Your steadfast love and grace, Your mercy and love. So, be with us all source of hope, watching “our going out and coming in” bringing us safely home to our loved ones. And, may we receive Your word this weekend to guide us and may our worship be acceptable to You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 263, regarding Sarah Dunn, St. Louis, which was adopted.

Senator Kraus offered Senate Resolution No. 264, regarding the death of Christopher Allen Tindall, Lee's Summit, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 403—By Kehoe.

An Act to repeal section 393.1012, RSMo, and to enact in lieu thereof one new section relating to ratemaking for gas corporations.

SB 404—By Kehoe.

An Act to repeal sections 288.036 and 288.060, RSMo, and to enact in lieu thereof two new sections relating to the definition of wages under the employment security law.

SB 405—By Hegeman.

An Act to repeal section 52.260, RSMo, and to enact in lieu thereof one new section relating to fees collected by the county collector.

SB 406—By Munzlinger.

An Act to repeal sections 288.380 and 288.381, RSMo, and to enact in lieu thereof two new sections relating to unemployment compensation benefits, with existing penalty provisions.

SB 407—By Onder.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the reimbursement of emergency medical services.

SB 408—By Libla.

An Act to repeal section 590.750, RSMo, and to enact in lieu thereof one new section relating to corporate security advisors, with an existing penalty provision.

SB 409—By Wallingford.

An Act to repeal sections 70.210, 92.077, 190.300, 190.307, 190.308, 190.328, 190.329, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 321.015, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof twenty new sections relating to emergency services, with penalty provisions.

SB 410—By Wallingford.

An Act to repeal section 650.055, RSMo, and section 568.040 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 568.040 as enacted by house bill no. 111, ninety-sixth general assembly, first regular session, and to enact in lieu thereof two new sections relating to criminal nonsupport, with a penalty provision.

SB 411—By Brown.

An Act to repeal section 334.040, RSMo, and to enact in lieu thereof one new section relating to the licensure examination requirements for physicians and surgeons.

SB 412—By Romine.

An Act to repeal sections 435.350, 435.355, and 435.440, RSMo, and to enact in lieu thereof three new sections relating to arbitration agreements between employers and at-will employees.

SB 413—By Romine.

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to natural resource damages.

SB 414—By Wasson.

An Act to repeal sections 198.006 and 198.073, RSMo, and to enact in lieu thereof two new sections relating to long-term care facilities.

SB 415—By Wasson.

An Act to repeal section 334.104, RSMo, and to enact in lieu thereof one new section relating to advanced practice registered nurses practicing pursuant to collaborative practice arrangements.

SB 416—By Wasson.

An Act to repeal sections 194.119 and 214.208, RSMo, and to enact in lieu thereof two new sections relating to the disposition of dead bodies.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Christopher Rohlfing, Independent, as a member of the Missouri Veterinary Medical Board;

Also,

Elizabeth Wood, as the student representative of the University of Central Missouri Board of Governors;

Also,

Austin D. Cordell, as the student representative of the Southeast Missouri State University Board of Regents;

Also,

Kimberlee J. Pate, as a member of the Missouri State Foster Care and Adoption Board;

Also,

Caleb Austin Doyle, as the student representative of the Missouri State University Board of Governors;

Also,

John R. Twitty, Republican, Judene R. Blackburn, Independent and Phyllis Ann Chase, Democrat, as members of the State Lottery Commission;

Also,

Mark E. Jordan, Republican, as a member of the Hazardous Waste Management Commission;

Also,

Reena Hajat Carroll, Democrat, as a member of the Missouri Community Service Commission;

Also,

Peter W. Detweiler, as a member of the Higher Education Loan Authority of the State of Missouri;

Also,

Brian Jamison, Republican, as a member of the Missouri Gaming Commission;

Also,

Damon S. Porter, as Director of the Division of Employment Security;

Also,

Michael B. Pace, Independent, as a member of the State Highways and Transportation Commission; and

Nancy C. Hagan, Democrat, as a member of the Missouri Ethics Commission.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Nia V. Ray, as Director of the Department of Revenue, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Romine assumed the Chair.

Senator Kehoe moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Maynard Wallace, Republican, as a member of the State Board of Education, begs leave to report that

it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Cunningham moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment.

Senator Emery requested a roll call vote be taken on the appointment of Maynard Wallace, Republican, as a member of the State Board of Education. He was joined in his request by Senators Kehoe, Onder, Wallingford and Schatz.

Senator Cunningham moved that the committee report on Maynard Wallace, Republican, as a member of the State Board of Education be adopted and the Senate do give its advice and consent to said appointment, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schmitt
Schupp	Sifton	Walsh	Wasson	Wieland—29			

NAYS—Senators

Emery	Onder	Schatz	Silvey	Wallingford—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Phillip H. Snowden, Democrat, as a member of the University of Missouri Board of Curators, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Silvey moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Maurice B. Graham, Democrat, as a member of the University of Missouri Board of Curators, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Chappelle-Nadal moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 5, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments to office made by me and submitted to you on January 7, 2015, for your advice and consent:

Terry R. Adams, Democrat, 14 Charlemagne Court, Lake Saint Louis, Saint Charles County, Missouri 63367, as a member of the State Lottery Commission, for a term ending September 7, 2015, and until his successor is duly appointed and qualified; vice, Gina Hoagland, term expired.

Oliver Glenn Boyer, 301 Ninth Street, Crystal City, Jefferson County, Missouri 63019, as a member of the Missouri Veterans' Commission, for a term ending November 2, 2017, and until his successor is duly appointed and qualified; vice, Emmett W. Fairfax, term expired.

James H. Chapman III, Democrat, 4100 Tyler Road, Grain Valley, Jackson County, Missouri 64029, as a member of the Elevator Safety Board, for a term ending June 6, 2015, and until his successor is duly appointed and qualified; vice, John J. McNerney, term expired.

Susan Cole, Independent, 233 West Old Watson Road, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Missouri Charter Public School Commission, for a term ending September 17, 2016, and until her successor is duly appointed and qualified; vice, RSMo. 160.425.

Michelle Crockett, 221 South Highway J, Lamar, Barton County, Missouri 64759, as a member of the Children's Trust Fund Board, for a term ending September 15, 2015, and until her successor is duly appointed and qualified; vice, Richard C. Dunn, term expired.

Deborah Curtis, Independent, 118 Hidden Pines Lane, Warrensburg, Johnson County, Missouri 64093, as a member of the Missouri Charter Public School Commission, for a term ending September 17, 2018, and until her successor is duly appointed and qualified; vice, RSMo. 160.425.

Ve'Shawn Dixon, 920 Memorial Drive, Maryville, Nodaway County, Missouri 64468, as the student representative of the Northwest Missouri State University Board of Regents, for a term ending December 31, 2015, and until his successor is duly appointed and qualified; vice, Ashton Raffety, term expired.

Christina M. Ferguson, 10001 North Revere Court, Kansas City, Platte County, Missouri 64154, as a member of the State Board of Pharmacy, for a term ending December 3, 2019, and until her successor is duly appointed and qualified; vice, James D. Riddle, term expired.

David E. Gurian, 2309 Parkridge Avenue, Brentwood, Saint Louis County, Missouri 63144, as a member of the organ Donation Advisory Committee, for a term ending December 12, 2015, and until his successor is duly appointed and qualified; vice, Lonnie M. Boyd, term expired

Jason Hall, 4142 Shenandoah, Saint Louis City, Missouri 63110, as a member of the Missouri Technology Corporation, for a term ending March 3, 2017, and until his successor is duly appointed and qualified; vice, Keith Gary, term expired.

Frank James Logan Sr., Democrat, 3018 Rutger Street, Saint Louis City, Missouri 63104, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, John McGuire, withdrawn.

Paul M. Maloney, Republican, 5823 Delor, St. Louis City, Missouri 63109, as a member of the Saint Louis City Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, Jack Lary, term expired.

David W. Murphy, Democrat, 1709 Cliff Drive, Columbia, Boone County, Missouri 65201, as a member of the Conservation Commission, for a term ending June 30, 2019, and until his successor is duly appointed and qualified; vice, Tim Dollar, withdrawn.

Mary E. Nelson, Democrat, 4100 Laclede Avenue, Saint Louis City, Missouri 63108, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2021, and until her successor is duly appointed and qualified; vice, P. Wayne Goode, term expired.

Thomas Rodenberg, Democrat, 1005 Southwest 44th Street, Blue Springs, Jackson County, Missouri 64015, as a member of the Missouri Public Entity Risk Management Fund Board of Trustees, for a term ending July 15, 2017, and until his successor is duly appointed and qualified; vice, Donald Yarber, term expired.

Christie L. Rodriguez, 406 South Main Street, Nevada, Vernon County, Missouri 64772, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2016, and until her successor is duly appointed and qualified; vice, Michael A. Cabello, withdrawn.

Leland M. Shurin, Democrat, 411 West 46 Terrace #1101, Kansas City, Jackson County, Missouri 64112, as a member of the Missouri Gaming Commission, for a term ending April 29, 2017, and until his successor is duly appointed and qualified; vice, Darryl Jones, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Senator Dempsey moved that the above appointments be returned to the Governor per his request, which motion prevailed.

SECOND READING OF SENATE BILLS

The following Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SJR 1—Agriculture, Food Production and Outdoor Resources.

SJR 2—Financial and Governmental Organizations and Elections.

SJR 3—Jobs, Economic Development and Local Government.

SJR 4—Judiciary and Civil and Criminal Jurisprudence.

SJR 5—Financial and Governmental Organizations and Elections.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 5**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 149**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 35**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto

attached, do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 24**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Romine assumed the Chair.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 15** and **SS No. 2** for **SCS** for **SB 11**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

February 5, 2015

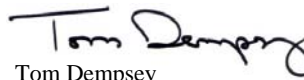
Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Please be advised that I am appointing Senator Ryan Silvey to the Joint Committee on Administrative Rules (JCAR).

Please feel free to contact me should you have any questions.

Sincerely,



Tom Dempsey

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, representatives of the Kings of Historically Black College and Universities: Darren Bragg, Tennessee State University; Brian Fenderson, Lincoln University; Charles Mitchell, Fisk; Ashton Davis, LeMoyne-Owen College; Joseph Reese, Huston-Tillotson University; Roger Thomas, III, Prairie View A&M; James Jones, Delaware State University; James Bowen, North Carolina Agriculture and Technical State University; Dionte Salvi, University of Maryland Eastern Shore; and Brandon Bowden, Winston-Salem State University.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, February 9, 2015.

SENATE CALENDAR

EIGHTEENTH DAY—MONDAY, FEBRUARY 9, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 234-Kehoe	SB 259-Wallingford
SB 235-Dixon	SB 260-Schaefer
SB 236-Keaveny	SB 261-Schaefer
SB 237-Keaveny, et al	SB 262-Schaefer
SB 238-LeVota	SB 263-Schaefer
SB 239-Brown	SB 264-Schaefer
SB 240-Keaveny and Schaaf	SB 265-Schaefer
SB 241-Keaveny	SB 266-Schaefer
SB 242-Dixon	SB 267-Schaefer
SB 243-Schmitt	SB 268-Pearce
SB 244-Schmitt	SB 269-Nasheed
SB 245-Hegeman	SB 270-Nasheed
SB 246-Hegeman	SB 271-Silvey
SB 247-Sifton	SB 272-Riddle, et al
SB 248-Schaefer	SB 273-Riddle
SB 249-Holsman	SB 274-Schupp
SB 250-Onder	SB 275-Schupp
SB 251-Onder	SB 276-Walsh
SB 252-Romine	SB 277-Walsh
SB 253-Romine	SB 278-Schatz
SB 254-Kraus	SB 279-Brown
SB 255-Schaaf and Holsman	SB 280-Keaveny
SB 256-Sater and Nasheed	SB 281-Silvey
SB 257-Sater	SB 282-Parson
SB 258-Wallingford	SB 283-Kehoe

SB 284-Munzlinger	SB 320-Wallingford
SB 285-Kehoe	SB 321-Hegeman
SB 286-Schaaf and Silvey	SB 322-Dempsey
SB 287-Silvey	SB 323-Munzlinger
SB 288-Schatz	SB 324-Munzlinger
SB 289-Schatz	SB 325-Sater
SB 290-Schaefer	SB 326-Sater
SB 291-Cunningham	SB 327-Onder
SB 292-Munzlinger	SB 328-Schupp
SB 293-Parson	SB 329-Schupp
SB 294-Schaaf	SB 330-Parson
SB 295-Schaaf	SB 331-Libla
SB 296-Schaaf	SB 332-Nasheed
SB 297-Holsman	SB 333-Nasheed
SB 298-Kraus	SB 334-Nasheed
SB 299-Pearce	SB 335-Holsman
SB 300-Silvey	SB 336-Kraus
SB 301-Silvey	SB 337-Munzlinger
SB 302-Riddle	SB 338-Munzlinger
SB 303-Keaveny	SB 339-Munzlinger
SB 304-Keaveny	SB 340-Pearce
SB 305-Onder	SB 341-Riddle
SB 306-Onder	SB 342-Brown
SB 307-Curls	SB 343-Wasson
SB 308-Curls	SB 344-Wasson
SB 309-Curls	SB 345-Wasson
SB 310-Emery	SB 346-Wasson
SB 311-Emery	SB 347-Dixon
SB 312-Schmitt	SB 348-Schaefer
SB 313-Wallingford	SB 349-Schaefer
SB 314-Wallingford	SB 350-Schaefer
SB 315-Dixon	SB 351-Schaefer
SB 316-Brown	SB 352-Schaefer
SB 317-Brown	SB 353-Silvey
SB 318-Cunningham and Libla	SB 354-Sater
SB 319-Schaaf and Silvey	SB 355-Brown

SB 356-Nasheed	SB 391-Curls
SB 357-Nasheed	SB 392-Wieland
SB 358-Kehoe	SB 393-Schupp
SB 359-Kehoe	SB 394-Wallingford
SB 360-Parson	SB 395-Holsman
SB 361-Parson	SB 396-Holsman
SB 362-Parson	SB 397-Silvey
SB 363-Parson	SB 398-Schatz
SB 364-Parson	SB 399-Onder
SB 365-Schmitt	SB 400-Onder
SB 366-Schmitt	SB 401-Schmitt and Richard
SB 367-Kraus	SB 402-Wieland
SB 368-Pearce	SB 403-Kehoe
SB 369-Pearce	SB 404-Kehoe
SB 370-Munzlinger	SB 405-Hegeman
SB 371-Munzlinger	SB 406-Munzlinger
SB 372-Keaveny	SB 407-Onder
SB 373-Libla	SB 408-Libla
SB 374-Schatz	SB 409-Wallingford
SB 375-Schatz	SB 410-Wallingford
SB 376-Schatz	SB 411-Brown
SB 377-Schatz	SB 412-Romine
SB 378-Schatz	SB 413-Romine
SB 379-Schatz	SB 414-Wasson
SB 380-Wieland	SB 415-Wasson
SB 381-Dixon	SB 416-Wasson
SB 382-Dixon	SJR 6-Curls
SB 383-Wallingford	SJR 7-Richard and Wallingford
SB 384-Munzlinger	SJR 8-Schmitt
SB 385-Keaveny	SJR 9-Schmitt
SB 386-Keaveny	SJR 10-Sater
SB 387-Wasson	SJR 11-Emery
SB 388-Wasson	SJR 12-Onder
SB 389-Silvey and Walsh	SJR 13-Schaaf
SB 390-Curls	SJR 14-Dixon

HOUSE BILLS ON SECOND READING

HCS for HB 259

HB 150-Fitzpatrick

THIRD READING OF SENATE BILLS

SCS for SB 18-Kraus (In Fiscal Oversight)

SS for SCS for SB 15-Dixon and LeVota

SCS for SB 38-Romine (In Fiscal Oversight)

SS#2 for SCS for SB 11-Richard

SENATE BILLS FOR PERFECTION

SB 14-Munzlinger

SB 149-Parson, with SCS

SB 26-Sater and Schupp, with SCS

SB 35-Wallingford, with SCS

SB 5-Schmitt, et al, with SCS

SB 24-Sater, with SCS

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 15-Riddle

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

✓

Journal of the Senate

FIRST REGULAR SESSION

EIGHTEENTH DAY—MONDAY, FEBRUARY 9, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“This God – his way is perfect; the promise of the Lord proves true; he is a shield for all who take refuge in him.” (2 Samuel 22:31)

Gracious God, You are the provider and healer of our minds, bodies and spirit, for they are truly a gift from You who has been our companion as we travel the various roads to be here. Sustain us Lord and guide us so we may be channels of Your love and witness of Your faithfulness. And be an ever present help as we discern what truly needs to be done this week. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 5, 2015 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Richard offered Senate Resolution No. 265, regarding Dr. Blaine Henningsen, Carthage, which was adopted.

Senator Schmitt offered Senate Resolution No. 266, regarding Garrick Hamilton, which was adopted.

Senator Schmitt offered Senate Resolution No. 267, regarding Myrtle E. Walker, Kirkwood, which was adopted.

Senator Cunningham offered Senate Resolution No. 268, regarding Jennie Cummings, Mountain View, which was adopted.

Senator Hegeman offered Senate Resolution No. 269, regarding John Richard Germinder, which was adopted.

Senator Parson offered Senate Resolution No. 270, regarding Claire Silvers, El Dorado Springs, which was adopted.

Senator Pearce offered Senate Resolution No. 271, regarding Brandon Bothwell, Mooresville, which was adopted.

Senator Pearce offered Senate Resolution No. 272, regarding Kelsey Elbel, Holden, which was adopted.

Senator Pearce offered Senate Resolution No. 273, regarding Nora Faris, Concordia, which was adopted.

Senator Sater offered Senate Resolution No. 274, regarding Yia Yang, Rocky Comfort, which was adopted.

Senator Munzlinger offered Senate Resolution No. 275, regarding Cole Edwards, Salisbury, which was adopted.

Senator Hegeman offered Senate Resolution No. 276, regarding Brock Larson, Newtown, which was adopted.

Senator Riddle offered Senate Resolution No. 277, regarding Samantha Marre, Elsberry, which was adopted.

Senator Romine offered Senate Resolution No. 278, regarding Jack Davis, Farmington, which was adopted.

Senator Cunningham offered Senate Resolution No. 279, regarding Carson Priddle, Doniphan, which was adopted.

Senator Wasson offered Senate Resolution No. 280, regarding Ally Hultgren, Willard, which was adopted.

Senator Schaaf offered Senate Resolution No. 281, regarding Morgan Walkup, Gower, which was adopted.

Senator Kehoe offered Senate Resolution No. 282, regarding Paul Shanks, Belle, which was adopted.

Senator Kehoe offered Senate Resolution No. 283, regarding Libby Martin, Clarksburg, which was adopted.

Senator Sater offered Senate Resolution No. 284, regarding Shaylee Wallace, Reeds Spring, which was adopted.

Senator Libla offered Senate Resolution No. 285, regarding Jaret Holden, Birch Tree, which was adopted.

Senator Sifton offered Senate Resolution No. 286, regarding Dr. Parag Parikh, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 287, regarding Ken Dickinson, Kirkwood, which was adopted.

Senator Parson offered Senate Resolution No. 288, regarding Hollee Akers, Sedalia, which was adopted.

Senator Cunningham offered Senate Resolution No. 289, regarding Samantha A. Hines, Willow Springs, which was adopted.

Senator Schaefer offered Senate Resolution No. 290, regarding Ethan Alan Baca, Centralia, which was adopted.

Senator Kehoe offered Senate Resolution No. 291, regarding Curtis Buschjost, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 292, regarding Shirley Otto, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 293, regarding Larry Dahler, California, which was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 294

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Missouri Senate has a long tradition of rendering assistance to those organizations that sponsor projects in the interest of good citizenship; and

WHEREAS, the 2015 Missouri Youth Leadership Forum for Students with Disabilities, sponsored by the Governor's Council on Disability and the Missouri Planning Council for Developmental Disabilities, is an educational experience in state government for high school juniors and seniors with disabilities by allowing such youth to participate in the democratic process:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-eighth General Assembly, hereby grant the 2015 Missouri Youth Leadership Forum for Students with Disabilities permission to use the Senate Chamber on Tuesday, July 28, 2015 from 2:00 p.m. to 3:30 p.m. for the purpose of holding a mock legislative session.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 294** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 294** was adopted.

CONCURRENT RESOLUTIONS

Senators Schupp, Holsman, Walsh, LeVota, Curls, Sifton and Nasheed offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 16

Relating to the ratification of the Equal Rights Amendment to the United States Constitution.

WHEREAS, three years after women won the right to vote, the Equal Rights Amendment to the United States Constitution, authored by Alice Paul, head of the National Women's Party, was introduced in Congress by Senator Curtis and Representative Anthony, both Republicans; and

WHEREAS, the Equal Rights Amendment to the United States Constitution passed the United States Senate and then the United States House of Representatives, and on March 22, 1972, the proposed Amendment to the United States Constitution was sent to the states for ratification; and

WHEREAS, the Equal Rights Amendment to the United States Constitution states:

"Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification."; and

WHEREAS, Congress placed a deadline of June 30, 1982, on the ratification process and thirty-five states ratified the proposed Amendment before the deadline; and

WHEREAS, Congress may not have the constitutional authority to place a deadline on the ratification process; and

WHEREAS, Article V of the United States Constitution allows the General Assembly of the State of Missouri to ratify this proposed Amendment to the Constitution of the United States; and

WHEREAS, the General Assembly of the State of Missouri finds that the proposed Amendment is meaningful and needed as part of the United States Constitution and that the present political, social and economic conditions are the same as or are even more demanding today than they were when the proposed Amendment was first submitted for adoption:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby ratify the Equal Rights Amendment to the United States Constitution; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Archivist of the United States, Washington, D.C.; the Vice President of the United States; the Speaker of the United States House of Representatives; and each member of the Missouri Congressional delegation with request that it be printed in the Congressional Record.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 417—By Chappelle-Nadal.

An Act to repeal section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, and to enact in lieu thereof one new section relating to the defense of justified use of force under the Missouri criminal code.

SB 418—By Chappelle-Nadal.

An Act to repeal section 170.015, RSMo, and to enact in lieu thereof one new section relating to instruction in human sexuality and sexually transmitted infections.

SB 419—By Silvey.

An Act to amend chapter 660, RSMo, by adding thereto one new section relating to the healthcare transformation trust fund.

SB 420—By Schmitt.

An Act to amend chapter 166, RSMo, by adding thereto one new section relating to contributions for the Missouri higher education savings program.

SB 421—By Dixon.

An Act to repeal section 94.579, RSMo, and to enact in lieu thereof one new section relating to a sales tax for public safety.

Senator Kehoe assumed the Chair.

SB 422—By Schaaf.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to life-sustaining treatment policies of health care facilities.

SB 423—By Brown.

An Act to repeal section 304.010, RSMo, and to enact in lieu thereof one new section relating to speed limits, with an existing penalty provision.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 15**, introduced by Senators Dixon and LeVota, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 15

An Act to amend chapter 136, RSMo, by adding thereto one new section relating to a commission to study state tax policy.

Was taken up by Senator Dixon.

On motion of Senator Dixon, **SS** for **SCS** for **SB 15** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS No. 2 for SCS for SB 11, introduced by Senator Richard, entitled:

**SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 11**

An Act to repeal sections 105.450 and 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof five new sections relating to regulating the ethical behavior of professionals engaged in political activities, with existing penalty provisions.

Was taken up.

On motion of Senator Richard, **SS No. 2 for SCS for SB 11** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators

Parson Schaaf—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Richard, title to the bill was agreed to.

Senator Richard moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 9, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

James H. Chapman III, Democrat, 4100 Tyler Road, Grain Valley, Jackson County, Missouri 64029, as a member of the Elevator Safety Board, for a term ending June 6, 2015, and until his successor is duly appointed and qualified; vice, James H. Chapman III, Withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 9, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Susan Cole, Independent, 233 West Old Watson Road, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Missouri Charter Public School Commission, for a term ending September 17, 2016, and until her successor is duly appointed and qualified; vice, Susan Cole, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 9, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michelle Crockett, 221 South Highway J, Lamar, Barton County, Missouri 64759, as a member of the Children's Trust Fund Board, for a term ending September 15, 2015, and until her successor is duly appointed and qualified; vice, Michelle Crockett, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 9, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Deborah Curtis, Independent, 118 Hidden Pines Lane, Warrensburg, Johnson County, Missouri 64093, as a member of the Missouri Charter Public School Commission, for a term ending September 17, 2018, and until her successor is duly appointed and qualified; vice, Deborah Curtis, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 9, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Ve'Shawn Dixon, 920 Memorial Drive, Maryville, Nodaway County, Missouri 64468, as the student representative of the Northwest Missouri State University Board of Regents, for a term ending December 31, 2015, and until his successor is duly appointed and qualified; vice, Ve'Shawn Dixon, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 9, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Christina M. Ferguson, 10001 North Revere Court, Kansas City, Platte County, Missouri 64154, as a member of the State Board of Pharmacy, for a term ending December 3, 2019, and until her successor is duly appointed and qualified; vice, Christina M. Ferguson, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 9, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

David E. Gurian, 2309 Parkridge Avenue, Brentwood, Saint Louis County, Missouri 63144, as a member of the Organ Donation Advisory Committee, for a term ending December 12, 2015, and until his successor is duly appointed and qualified; vice, David E. Gurian, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 9, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Frank James Logan Sr., Democrat, 3018 Rutger Street, Saint Louis City, Missouri 63104, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Frank James Logan Sr., withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 9, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Paul M. Maloney, Republican, 5823 Delor, St. Louis City, Missouri 63109, as a member of the Saint Louis City Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, Paul M. Maloney, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 9, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

David W. Murphy, Democrat, 1709 Cliff Drive, Columbia, Boone County, Missouri 65201, as a member of the Conservation Commission, for a term ending June 30, 2019, and until his successor is duly appointed and qualified; vice, David W. Murphy, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 9, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Thomas Rodenberg, Democrat, 1005 Southwest 44th Street, Blue Springs, Jackson County, Missouri 64015, as a member of the Missouri Public Entity Risk Management Fund Board of Trustees, for a term ending July 15, 2017, and until his successor is duly appointed and qualified; vice, Thomas Rodenberg, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 9, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Christie L. Rodriguez, 406 South Main Street, Nevada, Vernon County, Missouri 64772, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2016, and until her successor is duly appointed and qualified; vice, Christie L. Rodriguez, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 9, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Leland M. Shurin, Democrat, 411 West 46 Terrace #1101, Kansas City, Jackson County, Missouri 64112, as a member of the Missouri Gaming Commission, for a term ending April 29, 2017, and until his successor is duly appointed and qualified; vice, Leland M. Shurin, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 15—Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR PERFECTION

Senator Munzlinger moved that **SB 14** be taken up for perfection, which motion prevailed.

Senator Munzlinger offered **SS** for **SB 14**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 14

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the transparency and accountability of public funds.

Senator Munzlinger moved that **SS** for **SB 14** be adopted.

Senator Schupp offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 14, Page 1, Section 37.851, Line 5, by inserting before the word “office” the following: “**general assembly and the**”.

Senator Schupp moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger moved that **SS** for **SB 14**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS** for **SB 14**, as amended, was declared perfected and ordered printed.

Senator Sater moved that **SB 26**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 26**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 26

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to emergency administration of epinephrine by auto-injector.

Was taken up.

Senator Sater moved that **SCS** for **SB 26** be adopted.

Senator Sater offered **SS** for **SCS** for **SB 26**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 26

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to emergency administration of epinephrine by auto-injector.

Senator Sater moved that **SS** for **SCS** for **SB 26** be adopted, which motion prevailed.

On motion of Senator Sater, **SS** for **SCS** for **SB 26** was declared perfected and ordered printed.

INTRODUCTIONS OF GUESTS

Senator Curls introduced to the Senate, Mayor Ted Hoskins, Councilwoman Lee Etta Hoskins, Councilwoman Emmalene Mitchell and Councilman At-Large Ralph McDaniel, Berkeley.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

NINETEENTH DAY—TUESDAY, FEBRUARY 10, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 234-Kehoe	SB 263-Schaefer
SB 235-Dixon	SB 264-Schaefer
SB 236-Keaveny	SB 265-Schaefer
SB 237-Keaveny, et al	SB 266-Schaefer
SB 238-LeVota	SB 267-Schaefer
SB 239-Brown	SB 268-Pearce
SB 240-Keaveny and Schaaf	SB 269-Nasheed
SB 241-Keaveny	SB 270-Nasheed
SB 242-Dixon	SB 271-Silvey
SB 243-Schmitt	SB 272-Riddle, et al
SB 244-Schmitt	SB 273-Riddle
SB 245-Hegeman	SB 274-Schupp
SB 246-Hegeman	SB 275-Schupp
SB 247-Sifton	SB 276-Walsh
SB 248-Schaefer	SB 277-Walsh
SB 249-Holsman	SB 278-Schatz
SB 250-Onder	SB 279-Brown
SB 251-Onder	SB 280-Keaveny
SB 252-Romine	SB 281-Silvey
SB 253-Romine	SB 282-Parson
SB 254-Kraus	SB 283-Kehoe
SB 255-Schaaf and Holsman	SB 284-Munzlinger
SB 256-Sater and Nasheed	SB 285-Kehoe
SB 257-Sater	SB 286-Schaaf and Silvey
SB 258-Wallingford	SB 287-Silvey
SB 259-Wallingford	SB 288-Schatz
SB 260-Schaefer	SB 289-Schatz
SB 261-Schaefer	SB 290-Schaefer
SB 262-Schaefer	SB 291-Cunningham

SB 292-Munzlinger	SB 332-Nasheed
SB 293-Parson	SB 333-Nasheed
SB 294-Schaaf	SB 334-Nasheed
SB 295-Schaaf	SB 335-Holsman
SB 296-Schaaf	SB 336-Kraus
SB 297-Holsman	SB 337-Munzlinger
SB 298-Kraus	SB 338-Munzlinger
SB 299-Pearce	SB 339-Munzlinger
SB 300-Silvey	SB 340-Pearce
SB 301-Silvey	SB 341-Riddle
SB 302-Riddle	SB 342-Brown
SB 303-Keaveny	SB 343-Wasson
SB 304-Keaveny	SB 344-Wasson
SB 305-Onder	SB 345-Wasson
SB 306-Onder	SB 346-Wasson
SB 307-Curls	SB 347-Dixon
SB 308-Curls	SB 348-Schaefer
SB 309-Curls	SB 349-Schaefer
SB 310-Emery	SB 350-Schaefer
SB 311-Emery	SB 351-Schaefer
SB 312-Schmitt	SB 352-Schaefer
SB 313-Wallingford	SB 353-Silvey
SB 314-Wallingford	SB 354-Sater
SB 315-Dixon	SB 355-Brown
SB 316-Brown	SB 356-Nasheed
SB 317-Brown	SB 357-Nasheed
SB 318-Cunningham and Libla	SB 358-Kehoe
SB 319-Schaaf and Silvey	SB 359-Kehoe
SB 320-Wallingford	SB 360-Parson
SB 321-Hegeman	SB 361-Parson
SB 322-Dempsey	SB 362-Parson
SB 323-Munzlinger	SB 363-Parson
SB 324-Munzlinger	SB 364-Parson
SB 325-Sater	SB 365-Schmitt
SB 326-Sater	SB 366-Schmitt
SB 327-Onder	SB 367-Kraus
SB 328-Schupp	SB 368-Pearce
SB 329-Schupp	SB 369-Pearce
SB 330-Parson	SB 370-Munzlinger
SB 331-Libla	SB 371-Munzlinger

SB 372-Keaveny	SB 404-Kehoe
SB 373-Libla	SB 405-Hegeman
SB 374-Schatz	SB 406-Munzlinger
SB 375-Schatz	SB 407-Onder
SB 376-Schatz	SB 408-Libla
SB 377-Schatz	SB 409-Wallingford
SB 378-Schatz	SB 410-Wallingford
SB 379-Schatz	SB 411-Brown
SB 380-Wieland	SB 412-Romine
SB 381-Dixon	SB 413-Romine
SB 382-Dixon	SB 414-Wasson
SB 383-Wallingford	SB 415-Wasson
SB 384-Munzlinger	SB 416-Wasson
SB 385-Keaveny	SB 417-Chappelle-Nadal
SB 386-Keaveny	SB 418-Chappelle-Nadal
SB 387-Wasson	SB 419-Silvey
SB 388-Wasson	SB 420-Schmitt
SB 389-Silvey and Walsh	SB 421-Dixon
SB 390-Curls	SB 422-Schaaf
SB 391-Curls	SB 423-Brown
SB 392-Wieland	SJR 6-Curls
SB 393-Schupp	SJR 7-Richard and Wallingford
SB 394-Wallingford	SJR 8-Schmitt
SB 395-Holsman	SJR 9-Schmitt
SB 396-Holsman	SJR 10-Sater
SB 397-Silvey	SJR 11-Emery
SB 398-Schatz	SJR 12-Onder
SB 399-Onder	SJR 13-Schaaf
SB 400-Onder	SJR 14-Dixon
SB 401-Schmitt and Richard	
SB 402-Wieland	
SB 403-Kehoe	

HOUSE BILLS ON SECOND READING

HCS for HB 259

HB 150-Fitzpatrick

THIRD READING OF SENATE BILLS

SCS for SB 18-Kraus (In Fiscal Oversight)

SCS for SB 38-Romine (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 5-Schmitt, et al, with SCS

SB 35-Wallingford, with SCS

SB 149-Parson, with SCS

SB 24-Sater, with SCS

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 16-Schupp, et al

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

✓

Journal of the Senate

FIRST REGULAR SESSION

NINETEENTH DAY—TUESDAY, FEBRUARY 10, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“...and what does the Lord require of you, but to do justice, and to love kindness and to walk humbly with your God?” (Micah 6:8b)

Almighty God, You have given us Your word so we might know what You require of us this day. May Micah’s words stay with us throughout the year, if not remembered daily in our meditation. May we truly do here those things that You require and may our daily walk be our witness of obedience to Your command. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

CONCURRENT RESOLUTIONS

Senator Hegeman offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 17

Whereas, sports participation has become part of American life ingrained into the consciousness of society; and

Whereas, sports officials act as on-field judges for their respective sports and as neutral participants who have no stake in the outcome of the game; and

Whereas, it is critical that there are a sufficient number of qualified sports officials to enforce the rules of the game and judge potential disputes between participants on the field; and

Whereas, many sports officials volunteer their time or receive only minimal compensation and participate out of a sheer love of the game and to teach children who play the game the valuable lessons that are learned through participating in sports, including sportsmanship, teamwork, and complying with the rules of the game to achieve a common goal; and

Whereas, sports officials deserve our collective respect and must have our collective assistance in creating a safe and secure environment for our children to play; and

Whereas, increasingly, sports officials are subjected to verbal and even physical assault by disgruntled fans as well as certain coaches and players; and

Whereas, although education continues to be important, recent trends point out the need for strong sanctions against those who engage in bad behavior at sporting events; and

Whereas, young people observe both the good and bad behavior of their sports heroes, other athletes, coaches, and fans and often emulate that behavior in either a positive or negative manner; and

Whereas, players, coaches and fans should be deterred from assaulting officials by local authorities handing out more severe penalties to ensure that the fans, especially young children, realize that it is not acceptable to attack an official; and

Whereas, as a society, we must act on the belief that respect for authority is critical to living, working, and playing together in a civil society governed by the rule of law:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby call on all school districts, little league programs, high school, college, and recreational programs, along with law enforcement and prosecutors, to do all they can to put an end to the increased threats and assaults on sports officials and to prosecute such criminal acts to the full extent of the law; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Department of Elementary and Secondary Education, the Department of Higher Education, the Attorney General, and the Department of Public Safety.

Senator Schupp offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 18

Whereas, Falun Dafa, also known as Falun Gong, is a Chinese practice of gentle exercise and meditation based on the universal principles of truthfulness, compassion, and forbearance; and

Whereas, this practice, which transcends all cultural, social, economic, and national boundaries, has helped millions of practitioners in over 70 countries create and improve personal well-being and become more productive members of society; and

Whereas, in 1999 the government of the People's Republic of China outlawed the practice of Falun Dafa in that nation and created a campaign of persecution and terror against its peaceful adherents; and

Whereas, independent investigations confirmed that the Chinese regime commits forced organ harvesting on Falun Dafa prisoners of conscience that results in their deaths; and

Whereas, this persecution campaign against practitioners of Falun Dafa denies the basic human rights of freedom of belief, assembly and expression:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby declare our support for the Falun Dafa movement and its followers and urge the United States government to demonstrate its support for freedom of expression to practice Falun Dafa; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 424—By Pearce.

An Act to repeal section 160.031 as enacted by house bill no. 1689, ninety-seventh general assembly, second regular session, RSMo, and to enact in lieu thereof one new section relating to state funding for elementary and secondary education, with an emergency clause.

SB 425—By Libla.

An Act to repeal sections 211.183, 211.442, 211.444, and 453.040, RSMo, and to enact in lieu thereof five new sections relating to parental rights and adoption.

SB 426—By Parson.

An Act to repeal section 630.140, RSMo, and to enact in lieu thereof one new section relating to community mental health liaisons.

SENATE BILLS FOR PERFECTION

Senator Schmitt moved that **SB 5**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 5**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 5

An Act to repeal section 302.341, RSMo, and to enact in lieu thereof one new section relating to the distribution of revenues from traffic violations, with an existing penalty provision.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 5** be adopted.

Senator Schmitt offered **SS** for **SCS** for **SB 5**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 5

An Act to repeal section 302.341, RSMo, and to enact in lieu thereof one new section relating to the distribution of revenues from traffic violations, with an existing penalty provision.

Senator Schmitt moved that **SS** for **SCS** for **SB 5** be adopted.

Senator Dixon assumed the Chair.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 5, Page 1, Section 302.341, Line 11 of said page, by inserting immediately after “funds,” the following: “**funds expended by a political subdivision for technological assistance in collecting, storing, and disseminating criminal**

history record information and facilitating criminal identification activities for the purpose of sharing criminal justice-related information among political subdivisions,”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 5, Page 1, In the Title, Lines 3-4, by striking “the distribution of revenues from traffic violations” and inserting in lieu thereof the following: “court costs”; and

Further amend said bill, page 7, section 302.341, line 21, by inserting immediately after said line the following:

“488.5320. 1. Sheriffs, county marshals or other officers shall be allowed a charge for their services rendered in criminal cases and in all proceedings for contempt or attachment, as required by law, the sum of seventy-five dollars for each felony case or contempt or attachment proceeding, ten dollars for each misdemeanor case, and six dollars for each infraction, including cases disposed of by a violations bureau established pursuant to law or supreme court rule. Such charges shall be charged and collected in the manner provided by sections 488.010 to 488.020 and shall be payable to the county treasury; except that, those charges from cases disposed of by a violations bureau shall be distributed as follows: one-half of the charges collected shall be forwarded and deposited to the credit of the MODEX fund established in subsection [6] 5 of this section for the operational cost of the Missouri data exchange (MODEX) system, and one-half of the charges collected shall be deposited to the credit of the inmate security fund, established in section 488.5026, of the county or municipal political subdivision from which the citation originated. If the county or municipal political subdivision has not established an inmate security fund, all of the funds shall be deposited in the MODEX fund.

2. [Notwithstanding subsection 1 of this section to the contrary, sheriffs, county marshals, or other officers in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants or in any city not within a county shall not be allowed a charge for their services rendered in cases disposed of by a violations bureau established pursuant to law or supreme court rule.

3.] The sheriff receiving any charge pursuant to subsection 1 of this section shall reimburse the sheriff of any other county or the City of St. Louis the sum of three dollars for each pleading, writ, summons, order of court or other document served in connection with the case or proceeding by the sheriff of the other county or city, and return made thereof, to the maximum amount of the total charge received pursuant to subsection 1 of this section.

[4.] 3. The charges provided in subsection 1 of this section shall be taxed as other costs in criminal proceedings immediately upon a plea of guilty or a finding of guilt of any defendant in any criminal procedure. The clerk shall tax all the costs in the case against such defendant, which shall be collected and disbursed as provided by sections 488.010 to 488.020; provided, that no such charge shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court; provided further, that all costs, incident to the issuing and serving of writs of scire facias and of writs of fieri facias, and of attachments for witnesses of defendant, shall in no case be paid by the state, but such costs incurred

under writs of fieri facias and scire facias shall be paid by the defendant and such defendant's sureties, and costs for attachments for witnesses shall be paid by such witnesses.

[5.] **4.** Mileage shall be reimbursed to sheriffs, county marshals and guards for all services rendered pursuant to this section at the rate prescribed by the Internal Revenue Service for allowable expenses for motor vehicle use expressed as an amount per mile.

[6.] **5.** (1) There is hereby created in the state treasury the “MODEX Fund”, which shall consist of money collected under subsection 1 of this section. The fund shall be administered by the peace officers standards and training commission established in section 590.120. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the operational support and expansion of the MODEX system.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator Keaveny raised the point of order that **SA 2** goes beyond the scope and purpose of the bill.

The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator Chappelle-Nadal offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 5, Page 5, Section 302.341, Line 25 of said page, by inserting immediately after “revenue” the following: “**above five percent of annual general operating revenue of any city, town, or village**”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Curls requested unanimous consent of the Senate to allow Jackson County Sheriff Mike Sharp and Platte County Sheriff Mark Owen to enter the Chamber with side arms, which request was granted.

Senator Wasson offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 5, Page 4, Section 302.341, Line 11, by inserting immediately after “year” the following: “**except that any fourth class city not within a first class county or charter county as defined on December 31, 2014 shall remain at twenty percent**”.

Senator Wasson moved that the above amendment be adopted.

Senator Romine offered **SA 1** to **SA 4**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 5, Page 1, Section 302.341, Line 4, by striking the number “2014” and inserting in lieu thereof the following: “**2012**”.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator Riddle offered **SA 2** to **SA 4**, which was read:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 5, Page 1, Line 3, by inserting after the word “city” the following: “**or village**”.

Senator Riddle moved that the above amendment be adopted, which motion prevailed.

Senator Wasson moved that **SA 4**, as amended, be adopted, which motion prevailed.

Senator Schupp offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 5, Page 3, Section 302.341, Lines 20-28, by striking all of said lines; and

Further amend said section, page 4, lines 1-5 by striking all of said lines and inserting in lieu thereof the following: “revenue. **Beginning January 1, 2016, the above percentages**”; and

Further amend said section and page, lines 14-15, by striking: “**or sales tax proceeds that must remain in the county sales tax trust fund**”.

Senator Schupp moved that the above amendment be adopted, which motion failed.

Senator Schmitt moved that **SS** for **SCS** for **SB 5**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SCS** for **SB 5**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 14** and **SS** for **SCS** for **SB 26**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 16—Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Dixon.

SENATE BILLS FOR PERFECTION

Senator Parson moved that **SB 149**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 149**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 149**

An Act to amend chapters 67 and 144, RSMo, by adding thereto two new sections relating to tax incentives for data storage.

Was taken up.

Senator Parson moved that **SCS** for **SB 149** be adopted.

Senator Wasson offered **SS** for **SCS** for **SB 149**, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 149**

An Act to amend chapters 67 and 144, RSMo, by adding thereto two new sections relating to tax incentives for data storage.

Senator Schmitt assumed the Chair.

Senator Wasson moved that **SS** for **SCS** for **SB 149** be adopted, which motion prevailed.

On motion of Senator Parson, **SS** for **SCS** for **SB 149** was declared perfected and ordered printed.

Senator Wallingford moved that **SB 35**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 35**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 35**

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the termination of MO HealthNet services for participants residing out of state.

Was taken up.

Senator Wallingford moved that **SCS** for **SB 35** be adopted, which motion prevailed.

On motion of Senator Wallingford, **SCS** for **SB 35** was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 20**.

HOUSE CONCURRENT RESOLUTION NO. 20

WHEREAS, In April 2014, the Department of Defense announced that the Pentagon will seek further mission realignments, personnel reductions, and procurement decreases as part of the federal budget cutting process; and

WHEREAS, United States Secretary of Defense Chuck Hagel states that, in an effort to cut over \$1 trillion over the next decade, the number of soldiers in the United States Army will drop over the next five years from 562,000 to 420,000, and the number of marines in the United States Marine Corps will drop over the next five years from 202,000 to 175,000; and

WHEREAS, the Air Force may cut up to 25,000 total force airmen, or about 4 percent of its people, and up to 550 aircraft, or about 9 percent of its inventory, and

WHEREAS, the Pentagon planners intend to reduce procurement of weapons systems by \$66.2 billion from FY2016 to FY2019; and

WHEREAS, Missouri is currently home to a number of major military bases and agencies, including Whiteman Air Force Base near Knob Noster and its 509th Bomb Wing, the only Air Force Unit that operates the B-2 Spirit Stealth Bomber; the United States Army Maneuver Support Center at Fort Leonard Wood and its Chemical, Biological, Nuclear and Radiological School (CBRN), Military Police, and Engineer Schools; the National Geospatial-Intelligence Agency (NGA) in Arnold; the Missouri National Guard's Ike Skelton Training Center (ISTS) in Jefferson City; the Theater Aviation Sustainment Maintenance Group (TASMG) in Springfield; and the 139th Airlift Wing in St. Joseph, among numerous other facilities and locations; and

WHEREAS, the Department of Defense's spending and related activities triggered nearly \$11.6 billion in household earnings for workers in Missouri, including an estimated \$6.2 billion in direct compensation to active military personnel, civilian personnel, trainees, inactive duty, retired personnel living in the state, workers directly hired by contracted firms, and workers directly hired in tourism or education related industries, and \$11.6 billion in added household earnings from the multiplier effects; and

WHEREAS, in total, the Department of Defense's spending and related activities supported 275,000 jobs for state residents, including an estimated 123,000 direct jobs in the state of Missouri and 152,000 jobs added through the multiplier effects. The direct jobs include active military personnel, civilian personnel, trainees, inactive duty, workers directly hired by contracted firms, and workers directly hired in tourism or education related industries. This does not include retired personnel; and

WHEREAS, the estimated total output (economic activity) triggered by the Department of Defense's spending and related activities (\$15.0 billion) and the added multiplier effects (\$24.8 billion) was \$39.8 billion for Missouri; and

WHEREAS, Missouri's defense industry plays a vital role in the state's economy, employing 160,000 Missourians working to support, either directly or indirectly, over \$12 billion in Department of Defense procurement contracts awarded to Missouri companies, ranking 5th among the states in total dollars; and

WHEREAS, Missouri's defense procurement contracts are heavily oriented toward research and operational systems and manufacturing companies, particularly aerospace manufacturing at the Boeing Company, Missouri's 3rd largest employer, and its supply chain; and

WHEREAS, Missouri is home to several outstanding universities, including the University of Missouri, Washington University, and St. Louis University, that conduct cutting edge defense research for the government, providing the innovation needed to keep our military the finest in the world and creating the academic environment necessary to produce critical talent for the government and industry workforce; and

WHEREAS, the nation's primary concern must always be national defense and the security of the United States, including Missouri; and

WHEREAS, Missouri is heavily committed to providing for our national defense and security as an accommodating partner and a proud home to major military installations and agencies, 63,700 military and federal civilian personnel, and 162,000 citizens who work at companies that manufacture defense systems, provide valuable services, and perform critical research; and

WHEREAS, Missouri has a vital economic interest in maintaining its military installations and agencies and in presenting to national leaders evidence of Missouri's capacity to provide additional, cost effective, and flexible support to defense missions during the federal government's efforts to re-establish its basing, costing, and capabilities:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby strongly urge the United States Department of Defense and Missouri's Congressional delegation to protect, promote, and leverage Missouri's military bases and agencies, keep the number of military personnel in the state intact, and preserve defense industry procurement so that Missouri may continue to support the defense and protection of the state and the United States and keep its economy in sound condition; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for United States Secretary of Defense Chuck Hagel and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

CONCURRENT RESOLUTIONS

Senator Schaefer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 19

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Whereas, the Founders of our Constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas, it is the solemn duty of the states to protect the liberty of our people - particularly for the generations to come - to propose amendments to the United States Constitution through a convention of states under Article V to place clear restraints on these and related abuses of power:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby apply to Congress, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and members of Congress; and

Be It Further Resolved that this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds of the several states have made applications on the same subject; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Missouri Congressional delegation, and the presiding officers of each of the legislative houses in the several states requesting their cooperation.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 11**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 2**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 10**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 5**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

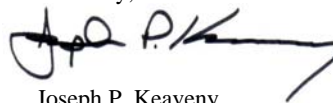
February 10, 2015

The Honorable Senator Tom Dempsey-President Pro-Tem
State Capitol, Room 326
Jefferson City, Missouri

Dear Senator Dempsey:

Please consider this correspondence to be my resignation from the Joint Committee on Legislative Research. As Minority Floor Leader, I recommend that Senator Gina Walsh be appointed to the committee to fill the vacancy left by my resignation.

Sincerely,



Joseph P. Keaveny

Also,

February 10, 2015

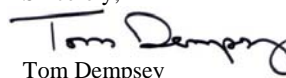
Ms. Adriane Crouse
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Please be advised that I am appointing Senator Gina Walsh to the Joint Committee on Legislative Research.

Please feel free to contact me should you have any questions.

Sincerely,



Tom Dempsey

RESOLUTIONS

Senator Curls offered Senate Resolution No. 295, regarding the Bancroft School Apartments, Kansas City, which was adopted.

Senator Curls offered Senate Resolution No. 296, regarding Makaylee Young-Mills, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 297, regarding the Guarded Exchange (GEX), LLC, Jefferson City, which was adopted.

Senator LeVota offered Senate Resolution No. 298, regarding C. Glenn Betts, Independence, which was adopted.

Senator Schaaf offered Senate Resolution No. 299, regarding Charles Alexander Velazquez, which was adopted.

Senator Schaaf offered Senate Resolution No. 300, regarding Jacob Lee Velazquez, Saint Joseph, which was adopted.

Senator Hegeman offered Senate Resolution No. 301, regarding the Fiftieth Wedding Anniversary of Jerry and Sherri Myrtue, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 302, regarding the Sixtieth Wedding Anniversary of Wayne and Betty Heck, Mound City, which was adopted.

Senator Hegeman offered Senate Resolution No. 303, regarding the One Hundredth Birthday of Alice Tibbetts, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 304, regarding Taylor Nicole Foreman, Smithville, which was adopted.

Senator Sifton offered Senate Resolution No. 305, regarding Nathan C. Henson, Saint Louis, which was adopted.

INTRODUCTIONS OF GUESTS

On behalf of Senator Schaefer and himself, Senator Pearce introduced to the Senate, Matt Schneringer, Boonville; and Gary and Carol Grote and Sarah Radke, Marshall.

Senator Wallingford introduced to the Senate, Jon Douglass, Sikeston.

Senator Dixon introduced to the Senate, representatives of the Junior League, Springfield.

On behalf of Senators Cunningham, Hegeman, Kehoe, Libla, Parson, Pearce, Riddle, Romine, Sater, Schaaf, Wasson and himself, Senator Munzlinger introduced to the Senate, 2014-2015 FFA State Officers: Carson Priddle, Doniphan; Brock Larson, Newtown; Libby Martin, Clarksburg; Paul Shanks, Belle; Jaret Holden, Birch Tree; Cole Edwards, Salisbury; Claire Silvers, El Dorado Springs; Brandon Bothwell, Mooresville; Abrea Mizer, Marshall; Samantha Marre, Elsberry; Jack Davis, Farmington; Yia Yang, Rocky Comfort; Shaylee Wallace, Reeds Spring; Morgan Walkup, Gower; and Alyssa Hultgren, Willard.

Senator Sifton introduced to the Senate, Steve Oglin, Laura Alfeldt, and former State Representative Patricia Yaeger, St. Louis County.

Senator LeVota introduced to the Senate, the Physician of the Day, Dr. Donald Potts.

Senator LeVota introduced to the Senate, representatives of the Missouri Credit Union Association, Independence.

Senator Emery introduced to the Senate, Truman Athletic Training members: Garrett Brugman, Kansas City; Mackenzie Snyder, Pleasant Hill; Rebecca Millard, Peculiar; Aaron Patterson, Raymore; and Instructor, Adam Cline.

Senator Emery introduced to the Senate, Scott Sommer, YMCA, Nevada.

Senator Kehoe introduced to the Senate, Maria Backes, Honey Creek.

Senator Pearce introduced to the Senate, Dr. Mark Curtis, Warrensburg.

Senator Dempsey introduced to the Senate, representatives of the YMCA, Youth in Government: Catlin McCord, Sean Atkins and Jasmine Jefferies, Lee Summit; Sydnie Crabb, Cameron; Patti O'Brien, Cenia Bosman, Maggie Isaacson, Alexis Hamby and Jacob Anderson-Little, St. Louis; Laurie McTearnen, Wildwood; Sarah Radue, Marshall; Patty Miller, New Bloomfield; Sarah Riffer, Kirksville; Stefan Dudziak and Craig Lammers, Jefferson City; Angela Prenger, Macon; Brenda Shields, Buchanan County; Tyler Tran, St. Peters; Brian Mackenzie, Kirkwood; Maxx Cook and Elijah Hart, Harrisonville.

Senator Holsman introduced to the Senate, Riah, Shannon, Isaiah, Joshua, Rai, Haddie and Cademon Carter, Kansas City.

Senator Brown introduced to the Senate, teachers Nancy Ward and Mike Ellis, and twenty-seven eleventh and twelfth grade students, Crocker High School.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTIETH DAY—WEDNESDAY, FEBRUARY 11, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 234-Kehoe
 SB 235-Dixon
 SB 236-Keaveny
 SB 237-Keaveny, et al
 SB 238-LeVota
 SB 239-Brown
 SB 240-Keaveny and Schaaf

SB 241-Keaveny
 SB 242-Dixon
 SB 243-Schmitt
 SB 244-Schmitt
 SB 245-Hegeman
 SB 246-Hegeman
 SB 247-Sifton

SB 248-Schaefer	SB 288-Schatz
SB 249-Holsman	SB 289-Schatz
SB 250-Onder	SB 290-Schaefer
SB 251-Onder	SB 291-Cunningham
SB 252-Romine	SB 292-Munzlinger
SB 253-Romine	SB 293-Parson
SB 254-Kraus	SB 294-Schaaf
SB 255-Schaaf and Holsman	SB 295-Schaaf
SB 256-Sater and Nasheed	SB 296-Schaaf
SB 257-Sater	SB 297-Holsman
SB 258-Wallingford	SB 298-Kraus
SB 259-Wallingford	SB 299-Pearce
SB 260-Schaefer	SB 300-Silvey
SB 261-Schaefer	SB 301-Silvey
SB 262-Schaefer	SB 302-Riddle
SB 263-Schaefer	SB 303-Keaveny
SB 264-Schaefer	SB 304-Keaveny
SB 265-Schaefer	SB 305-Onder
SB 266-Schaefer	SB 306-Onder
SB 267-Schaefer	SB 307-Curls
SB 268-Pearce	SB 308-Curls
SB 269-Nasheed	SB 309-Curls
SB 270-Nasheed	SB 310-Emery
SB 271-Silvey	SB 311-Emery
SB 272-Riddle, et al	SB 312-Schmitt
SB 273-Riddle	SB 313-Wallingford
SB 274-Schupp	SB 314-Wallingford
SB 275-Schupp	SB 315-Dixon
SB 276-Walsh	SB 316-Brown
SB 277-Walsh	SB 317-Brown
SB 278-Schatz	SB 318-Cunningham and Libla
SB 279-Brown	SB 319-Schaaf and Silvey
SB 280-Keaveny	SB 320-Wallingford
SB 281-Silvey	SB 321-Hegeman
SB 282-Parson	SB 322-Dempsey
SB 283-Kehoe	SB 323-Munzlinger
SB 284-Munzlinger	SB 324-Munzlinger
SB 285-Kehoe	SB 325-Sater
SB 286-Schaaf and Silvey	SB 326-Sater
SB 287-Silvey	SB 327-Onder

SB 328-Schupp	SB 368-Pearce
SB 329-Schupp	SB 369-Pearce
SB 330-Parson	SB 370-Munzlinger
SB 331-Libla	SB 371-Munzlinger
SB 332-Nasheed	SB 372-Keaveny
SB 333-Nasheed	SB 373-Libla
SB 334-Nasheed	SB 374-Schatz
SB 335-Holsman	SB 375-Schatz
SB 336-Kraus	SB 376-Schatz
SB 337-Munzlinger	SB 377-Schatz
SB 338-Munzlinger	SB 378-Schatz
SB 339-Munzlinger	SB 379-Schatz
SB 340-Pearce	SB 380-Wieland
SB 341-Riddle	SB 381-Dixon
SB 342-Brown	SB 382-Dixon
SB 343-Wasson	SB 383-Wallingford
SB 344-Wasson	SB 384-Munzlinger
SB 345-Wasson	SB 385-Keaveny
SB 346-Wasson	SB 386-Keaveny
SB 347-Dixon	SB 387-Wasson
SB 348-Schaefer	SB 388-Wasson
SB 349-Schaefer	SB 389-Silvey and Walsh
SB 350-Schaefer	SB 390-Curls
SB 351-Schaefer	SB 391-Curls
SB 352-Schaefer	SB 392-Wieland
SB 353-Silvey	SB 393-Schupp
SB 354-Sater	SB 394-Wallingford
SB 355-Brown	SB 395-Holsman
SB 356-Nasheed	SB 396-Holsman
SB 357-Nasheed	SB 397-Silvey
SB 358-Kehoe	SB 398-Schatz
SB 359-Kehoe	SB 399-Onder
SB 360-Parson	SB 400-Onder
SB 361-Parson	SB 401-Schmitt and Richard
SB 362-Parson	SB 402-Wieland
SB 363-Parson	SB 403-Kehoe
SB 364-Parson	SB 404-Kehoe
SB 365-Schmitt	SB 405-Hegeman
SB 366-Schmitt	SB 406-Munzlinger
SB 367-Kraus	SB 407-Onder

SB 408-Libla	SB 422-Schaaf
SB 409-Wallingford	SB 423-Brown
SB 410-Wallingford	SB 424-Pearce
SB 411-Brown	SB 425-Libla
SB 412-Romine	SB 426-Parson
SB 413-Romine	SJR 6-Curls
SB 414-Wasson	SJR 7-Richard and Wallingford
SB 415-Wasson	SJR 8-Schmitt
SB 416-Wasson	SJR 9-Schmitt
SB 417-Chappelle-Nadal	SJR 10-Sater
SB 418-Chappelle-Nadal	SJR 11-Emery
SB 419-Silvey	SJR 12-Onder
SB 420-Schmitt	SJR 13-Schaaf
SB 421-Dixon	SJR 14-Dixon

HOUSE BILLS ON SECOND READING

HCS for HB 259	HB 150-Fitzpatrick
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THIRD READING OF SENATE BILLS

SCS for SB 18-Kraus (In Fiscal Oversight)	SS for SCS for SB 26-Sater
SCS for SB 38-Romine (In Fiscal Oversight)	SS for SCS for SB 5-Schmitt
SS for SB 14-Munzlinger	

SENATE BILLS FOR PERFECTION

SB 24-Sater, with SCS

INFORMAL CALENDAR

RESOLUTIONS

Reported from Committee

SCR 2-Nasheed	SCR 11-Schmitt, with SCS
SCR 10-Munzlinger	

To be Referred

SCR 17-Hegeman
SCR 18-Schupp

SCR 19-Schaefer
HCR 20-Lynch

MISCELLANEOUS

To be Referred

REMONSTRANCE 1-Chappelle-Nadal

✓

Journal of the Senate

FIRST REGULAR SESSION

TWENTIETH DAY—WEDNESDAY, FEBRUARY 11, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Praise the Lord! Happy are those who fear the Lord, who greatly delight in his commandments.” (Psalm 112:1)

Gracious God, everything seems clearer in the morning. You have answered our prayers for strength and guidance. You have heard our cries for help. You have touched our souls. So Lord, let Your spirit flow freely in us. Let Your love move us to reach out to others and may we share the joy we have in You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Senator Richard requested unanimous consent of the Senate to correct the Senate Journal for Tuesday, February 10, 2015, Page 315, Line 40, by inserting after said line, the following:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 11

Whereas, a college education provides students with a significant advantage in achieving the American Dream; and

Whereas, individuals with higher levels of education regularly benefit from lower unemployment, better jobs, increased chances for career advancement, and higher earning potential; and

Whereas, college graduates age 25 and over earn nearly twice as much as workers who stopped with a high school diploma; and

Whereas, the median earnings gap of graduates of a four-year college versus high school graduates has been increasing since the 1970's and continues to increase; and

Whereas, the pathway to a better life goes directly through college, but only if college is affordable for the student and the family; and

Whereas, the cost of a college education has increased twelve-fold over the last thirty years; and

Whereas, in 2012 63% of students graduating from a four-year institution in Missouri had student loan debt; and

Whereas, the average student loan debt for students graduating from a four-year institution in Missouri in 2012 was over \$24,000; and

Whereas, nearly 99,000 Missourians are currently making student loan payments; and

Whereas, 12.6% of students default on their student loan payments; and

Whereas, individuals who are not making student loan payments will be more active participants in a free-market economy; and

Whereas, 529 plans are a powerful investment tool for families and individuals to save funds for their children's future education expenses; and

Whereas, 529 plans are used as the "Pathway to College" for individuals who could not otherwise attend college; and

Whereas, 529 plans are readily available to any Missouri citizen; and

Whereas, minimum contributions can be as little as \$10, making it accessible for any person to save a little at a time, which will add up significantly once the student enters college; and

Whereas, by saving for college through a 529 plan, families can reduce their reliance on student loans, earn interest instead of paying interest and help their student leave college debt-free; and

Whereas, 529 plans can be used at almost any college or university in the country, giving every student the opportunity to attend the school that fits their needs; and

Whereas, 529 plans are an attractive investment tool because the funds invested grow deferred from federal and state taxation; and

Whereas, families which save with 529 plans can save an average of \$15,000 more over a 18-year period than if they were to save through a taxable account; and

Whereas, the number of 529 plans accounts have increased by over 700% since 2001, when qualified distributions became tax-free; and

Whereas, the President of the United States proposed a budget which would tax earnings accrued from a 529 plan, only to subsequently retract such proposal as a result of negative reaction:

Now, Therefore, Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress to protect and strengthen the tax-deferred treatment of 529 college savings plans to promote students' chances of fulfilling the American Dream; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for each member of Missouri's Congressional delegation.

The Journal of the previous day was read and approved as corrected.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 306, regarding the Vasterling Building, Cape Girardeau, which was adopted.

Senator LeVota offered Senate Resolution No. 307, regarding the Missouri State Association of Parliamentarians, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 427—By Sifton.

An Act to repeal section 210.221, RSMo, and to enact in lieu thereof two new sections relating to child care facilities, with an emergency clause.

Senator Pearce assumed the Chair.

SB 428—By Curls.

An Act to repeal section 105.961 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.961 as enacted by senate bill no. 16, ninety-first general assembly, first regular session, RSMo, and to enact in lieu thereof one new section relating to the enforcement power of the Missouri ethics commission, with existing penalty provisions.

SENATE BILLS FOR PERFECTION

Senator Sater moved that **SB 24**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 24**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 24

An Act to repeal section 208.040, RSMo, and to enact in lieu thereof three new sections relating to public assistance.

Was taken up.

Senator Sater moved that **SCS** for **SB 24** be adopted.

Senator Sater offered **SS** for **SCS** for **SB 24**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 24

An Act to repeal section 208.040, RSMo, and to enact in lieu thereof three new sections relating to nonmedical public assistance.

Senator Sater moved that **SS** for **SCS** for **SB 24** be adopted.

Senator Kehoe assumed the Chair.

On motion of Senator Sater, **SB 24**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 149** and **SCS** for **SB 35**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SCR 17**, **SCR 18** and **HCR 20** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 19—Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 234—Judiciary and Civil and Criminal Jurisprudence.

SB 235—Judiciary and Civil and Criminal Jurisprudence.

SB 236—Transportation, Infrastructure and Public Safety.

SB 237—Progress and Development.

SB 238—General Laws and Pensions.

SB 239—Small Business, Insurance and Industry.

SB 240—Governmental Accountability and Fiscal Oversight.

SB 241—Progress and Development.

SB 242—Ways and Means.

SB 243—Veterans' Affairs and Health.

SB 244—Seniors, Families and Children.

SB 245—Jobs, Economic Development and Local Government.

SB 246—Judiciary and Civil and Criminal Jurisprudence.

SB 247—Small Business, Insurance and Industry.

SB 248—Education.

SB 249—Commerce, Consumer Protection, Energy and the Environment.

SB 250—Jobs, Economic Development and Local Government.

SB 251—Education.

SB 252—Transportation, Infrastructure and Public Safety.

SB 253—Commerce, Consumer Protection, Energy and the Environment.

- SB 254**—Transportation, Infrastructure and Public Safety.
- SB 255**—Agriculture, Food Production and Outdoor Resources.
- SB 256**—Seniors, Families and Children.
- SB 257**—Veterans' Affairs and Health.
- SB 258**—Jobs, Economic Development and Local Government.
- SB 259**—Seniors, Families and Children.
- SB 260**—Appropriations.
- SB 261**—Appropriations.
- SB 262**—Appropriations.
- SB 263**—Appropriations.
- SB 264**—Appropriations.
- SB 265**—Appropriations.
- SB 266**—Jobs, Economic Development and Local Government.
- SB 267**—Transportation, Infrastructure and Public Safety.
- SB 268**—Jobs, Economic Development and Local Government.
- SB 269**—Judiciary and Civil and Criminal Jurisprudence.
- SB 270**—General Laws and Pensions.
- SB 271**—Education.
- SB 272**—Transportation, Infrastructure and Public Safety.
- SB 273**—Education.
- SB 274**—Transportation, Infrastructure and Public Safety.
- SB 275**—Transportation, Infrastructure and Public Safety.
- SB 276**—General Laws and Pensions.
- SB 277**—General Laws and Pensions.
- SB 278**—Transportation, Infrastructure and Public Safety.
- SB 279**—Small Business, Insurance and Industry.
- SB 280**—Judiciary and Civil and Criminal Jurisprudence.
- SB 281**—Veterans' Affairs and Health.
- SB 282**—Small Business, Insurance and Industry.
- SB 283**—General Laws and Pensions.

SB 284—Jobs, Economic Development and Local Government.

SB 285—Commerce, Consumer Protection, Energy and the Environment.

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Dixon.

SENATE BILLS FOR PERFECTION

Senator Sater moved that **SB 24**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SB 24** was again taken up.

Senator Nasheed offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 24, Page 9, Section 208.040, Line 3 of said page, by striking “twenty-four-month” and inserting in lieu thereof the following: “**thirty-six-month**”; and further amend line 18 of said page, by striking “twenty-four” and inserting in lieu thereof the following: “**thirty-six**”.

Senator Kraus assumed the Chair.

On motion of Senator Sater, **SB 24**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Chappelle-Nadal requested unanimous consent of the Senate to withdraw **SRM 1**, which request was granted.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 11, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Robert Hartnett, 508 Southeast Asobe Drive, Lee’s Summit, Jackson County, Missouri 64063, as chairman of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, for a term ending February 10, 2019, and until his successor is duly appointed and qualified; vice, James S. Anderson, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 11, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jade D. James, Democrat, 13008 Kinsley Heights Drive, Saint Louis, Saint Louis County, Missouri 63033, as a member of the State Board for the Registration of the Healing Arts, for a term ending September 3, 2016, and until her successor is duly appointed and qualified; vice, Daniel Osborn, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 11, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Trudi M. Foushee, Democrat, 1000 Bristol Manor Drive, Ballwin, Saint Louis County, Missouri 63011, as a member of the Saint Louis County Board of Election Commissioners, for a term ending January 10, 2017, and until her successor is duly appointed and qualified; vice, Ann Pluemer, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 308, regarding the Fiftieth Anniversary of the Missouri Head Start Association, Columbia, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 309, regarding the Chinese New Year, Saint Louis, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 310, regarding John W. Woll, Florissant, which was adopted.

Senator Sater offered Senate Resolution No. 311, regarding the Ninety-fourth Birthday of Melvin Rodgers, Marionville, which was adopted.

Senator Sater offered Senate Resolution No. 312, regarding Judy Willard, Aurora, which was adopted.

Senator Sater offered Senate Resolution No. 313, regarding Monett Intermediate School, which was adopted.

Senator Sater offered Senate Resolution No. 314, regarding Jeramie Grosenbacher, Aurora, which was adopted.

Senator Romine offered Senate Resolution No. 315, regarding Ironton Lodge Hall, which was adopted.

Senator Romine offered Senate Resolution No. 316, regarding Francois Bernier House, Ste. Genevieve, which was adopted.

Senator Schaaf offered Senate Resolution No. 317, regarding Madison Pehlman, Kansas City, which

was adopted.

Senator Schaaf offered Senate Resolution No. 318, regarding Savanna Veronica Ott, Platte City, which was adopted.

Senator Schaaf offered Senate Resolution No. 319, regarding Shanna Marie Beyer, Parkville, which was adopted.

Senator Sifton offered Senate Resolution No. 320, regarding Saint Louis County Police, which was adopted.

Senator Sifton offered Senate Resolution No. 321, regarding Jim B. Simpson, Crestwood, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Emma Downing, Warrensburg; Tammy Dameron, FBLA Advisor; Jessica Tonnar, Lafayette High School; and Carly Carlton, Chillicothe High School.

Senator Pearce introduced to the Senate, Director Derek Lark, Randy Plattner and students Rachel Wansing and Josh Petzoldt, Saline County Career Center, Marshall; Counselor Laura Owen and students Chelsi Brown, Mackenzie Duff, William Grant, Dakota Sweeney and Madison Ford, Carrollton Area Career Center.

Senator Wallingford introduced to the Senate, Mayor Ken Baer and City Administrator Brent Buerck, Perryville; Cole Shelby, Zalma; and Seth Mooney, Fredericktown.

Senator Riddle introduced to the Senate, Abbegail Robinson, Vandalia.

Senator Chappelle-Nadal introduced to the Senate, Taylor Bass, University City.

Senator Hegeman introduced to the Senate, Mekayla Sloan, Cameron; and Paige Kelley, Stanberry.

Senator Schupp introduced to the Senate, Brooklyn Bass, University City.

Senator Richard introduced to the Senate, Natasha “Sage” Rowe, Seneca; and Ashley Rorman, Lockwood.

Senator Holsman introduced to the Senate, Randy Wisthoff and Laura Berger, Kansas City; Rodney Murray, Grandview; and Jordan Perry Dove, Portageville.

Senator Munzlinger introduced to the Senate, Shannon Sullivan, Keytesville; and Caylie James, Meadville.

Senator Emery introduced to the Senate, Matthew Smith, Adrian.

Senator Emery introduced to the Senate, Cole Diggins, Bronaugh.

Senator Emery introduced to the Senate, Chase Osborn and Tommy Martin, Adrian; Jaclyn Crawford, Miami.

Senator Emery introduced to the Senate, Jacob Rapp, Riley Cameron, Jacob Thompson, Trevor DeLozier, Dexter Hammett, Madi Wheatley, Alli Steuck, Shelby Gould, and Hayley Klinksick, members

of Rich Hill FFA, and Brian Gillis, FFA Advisor and Jeff Steuck.

Senator Emery introduced to the Senate, Lamar Career & Technical Center Instructors, Lorraine Potter and Leland Smith, Director Scott Nolting and students Avery Roenththal, Golden City; Luis Lopez, Dadeville; Talon Stump, Jasper; Alex Beetler, Clayton Buzzard, Peyton Williams, Makayla Brown, Katelynn Hill, and Logan McArthur, Lamar.

Senator Libla introduced to the Senate, Madison Baker, Poplar Bluff; and Taylor Olin, Advance.

Senator Schatz introduced to the Senate, Hunter Wilkinson, Hermann.

Senator Schmitt introduced to the Senate, Alderman Mark Stallman, Ballwin.

Senator LeVota introduced to the Senate, Mayor Eileen Weir and Mayor Pro Tem Chris Whiting, Independence.

Senator Parson introduced to the Senate, Addison Stewart, Bolivar; and Ashley Yeater, Cole Camp.

Senator Kehoe introduced to the Senate, Karlie Reinkemeyer, Wardsville.

Senator Kehoe introduced to the Senate, Advisors Willard Haley and Matt Biddle and students from Eldon Career Center.

Senator Kehoe introduced to the Senate, California DECA officers, Morgan Henley, Jasmine Wells, Preston Peters, Emily Arnold, and Instructor Julia Potter.

Senator Kehoe introduced to the Senate, Nichols Career Center DECA, FBLA, Skills USA and FFA students, Kirsten Schmidt, Courtney Cole, Emily Hoelscher, Claudia Burcham, Danielle Protzman, Morgan John, Victoria Forck, Alicen Jennings and Counselor Travis Plume and his daughter, Ellen, Jefferson City.

Senator Pearce introduced to the Senate, Bonnie Branson, Higginsville; Aubry McGrath, Odessa; Allison Seiler, Lee's Summit; Mary Chiesi, Kansas City; and Jeanice Bradshaw, Kansas City, Kansas.

Senator Schaefer introduced to the Senate, Karen Brossi, Instructor and students from Boonslick Area Technical Center, Cooper and Howard Counties.

Senator Chappelle-Nadal introduced to the Senate, former State Representative Rick Stream, St. Louis.

Senator Chappelle-Nadal introduced to the Senate, Physician of the Day, John Holds, St. Louis.

Senator LeVota introduced to the Senate, Mike Pantleo and students from Fort Osage Career and Technology Center, Independence.

Senator Brown introduced to the Senate, students from Waynesville Career and Technical Center.

Senator Cunningham introduced to the Senate, Chandra Hubbs, Houston.

On behalf of Senator Dixon, the President introduced to the Senate, Jim and Shirley Kendall.

Senator Sater introduced to the Senate, Nathan Schoen, Mt. Vernon; and Daniel Gunther, Clever.

Senator Riddle introduced to the Senate, Alex Heitgerd and Sam Cobb, Warrenton.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-FIRST DAY—THURSDAY, FEBRUARY 12, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 286-Schaaf and Silvey	SB 316-Brown
SB 287-Silvey	SB 317-Brown
SB 288-Schatz	SB 318-Cunningham and Libla
SB 289-Schatz	SB 319-Schaaf and Silvey
SB 290-Schaefer	SB 320-Wallingford
SB 291-Cunningham	SB 321-Hegeman
SB 292-Munzlinger	SB 322-Dempsey
SB 293-Parson	SB 323-Munzlinger
SB 294-Schaaf	SB 324-Munzlinger
SB 295-Schaaf	SB 325-Sater
SB 296-Schaaf	SB 326-Sater
SB 297-Holsman	SB 327-Onder
SB 298-Kraus	SB 328-Schupp
SB 299-Pearce	SB 329-Schupp
SB 300-Silvey	SB 330-Parson
SB 301-Silvey	SB 331-Libla
SB 302-Riddle	SB 332-Nasheed
SB 303-Keaveny	SB 333-Nasheed
SB 304-Keaveny	SB 334-Nasheed
SB 305-Onder	SB 335-Holsman
SB 306-Onder	SB 336-Kraus
SB 307-Curls	SB 337-Munzlinger
SB 308-Curls	SB 338-Munzlinger
SB 309-Curls	SB 339-Munzlinger
SB 310-Emery	SB 340-Pearce
SB 311-Emery	SB 341-Riddle
SB 312-Schmitt	SB 342-Brown
SB 313-Wallingford	SB 343-Wasson
SB 314-Wallingford	SB 344-Wasson
SB 315-Dixon	SB 345-Wasson

SB 346-Wasson	SB 386-Keaveny
SB 347-Dixon	SB 387-Wasson
SB 348-Schaefer	SB 388-Wasson
SB 349-Schaefer	SB 389-Silvey and Walsh
SB 350-Schaefer	SB 390-Curls
SB 351-Schaefer	SB 391-Curls
SB 352-Schaefer	SB 392-Wieland
SB 353-Silvey	SB 393-Schupp
SB 354-Sater	SB 394-Wallingford
SB 355-Brown	SB 395-Holsman
SB 356-Nasheed	SB 396-Holsman
SB 357-Nasheed	SB 397-Silvey
SB 358-Kehoe	SB 398-Schatz
SB 359-Kehoe	SB 399-Onder
SB 360-Parson	SB 400-Onder
SB 361-Parson	SB 401-Schmitt and Richard
SB 362-Parson	SB 402-Wieland
SB 363-Parson	SB 403-Kehoe
SB 364-Parson	SB 404-Kehoe
SB 365-Schmitt	SB 405-Hegeman
SB 366-Schmitt	SB 406-Munzlinger
SB 367-Kraus	SB 407-Onder
SB 368-Pearce	SB 408-Libla
SB 369-Pearce	SB 409-Wallingford
SB 370-Munzlinger	SB 410-Wallingford
SB 371-Munzlinger	SB 411-Brown
SB 372-Keaveny	SB 412-Romine
SB 373-Libla	SB 413-Romine
SB 374-Schatz	SB 414-Wasson
SB 375-Schatz	SB 415-Wasson
SB 376-Schatz	SB 416-Wasson
SB 377-Schatz	SB 417-Chappelle-Nadal
SB 378-Schatz	SB 418-Chappelle-Nadal
SB 379-Schatz	SB 419-Silvey
SB 380-Wieland	SB 420-Schmitt
SB 381-Dixon	SB 421-Dixon
SB 382-Dixon	SB 422-Schaaf
SB 383-Wallingford	SB 423-Brown
SB 384-Munzlinger	SB 424-Pearce
SB 385-Keaveny	SB 425-Libla

SB 426-Parson	SJR 9-Schmitt
SB 427-Sifton	SJR 10-Sater
SB 428-Curls	SJR 11-Emery
SJR 6-Curls	SJR 12-Onder
SJR 7-Richard and Wallingford	SJR 13-Schaaf
SJR 8-Schmitt	SJR 14-Dixon

HOUSE BILLS ON SECOND READING

HCS for HB 259	HB 150-Fitzpatrick
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THIRD READING OF SENATE BILLS

SCS for SB 18-Kraus (In Fiscal Oversight)	SS for SCS for SB 5-Schmitt
SCS for SB 38-Romine (In Fiscal Oversight)	SS for SCS for SB 149-Parson
SS for SB 14-Munzlinger	SCS for SB 35-Wallingford
SS for SCS for SB 26-Sater	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 24-Sater, with SCS, SS for SCS & SA 1
(pending)

RESOLUTIONS

Reported from Committee

SCR 2-Nasheed	SCR 11-Schmitt, with SCS
SCR 10-Munzlinger	

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-FIRST DAY—THURSDAY, FEBRUARY 12, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“I remember the days of old, I think about all your deeds; I meditate on the works of your hands, I stretch out my hands to you; my soul thirsts for you like a parched land.” (Psalm 143:5-6)

Heavenly Father, Your love and grace touch us and fill us with the light of Your presence. Your hope enfolds us and fills us with what we need each day. As we return home this day, may we meditate on how You have been with us this week and what You have helped us accomplish, so we may give thanks and sing Your praise. And, we would ask that You strengthen our bonds of love with those You have given us to love so that this Valentine time will bear witness of our love for each other throughout this weekend together. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from the Gasconade County Republican were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Curls offered Senate Resolution No. 322, regarding Cheryl McLaughlin and the Hazel Grove Elementary School fifth-grade class, Lee's Summit, which was adopted.

Senator Curls offered Senate Resolution No. 323, regarding Teri Campos and the Faxon Elementary School sixth-grade class, Kansas City, which was adopted.

Senator LeVota offered Senate Resolution No. 324, regarding Katie Mills and the Holy Cross Catholic School seventh-grade class, Kansas City, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 429—By Schaaf.

An Act to amend chapter 443, RSMo, by adding thereto seven new sections relating to the mortgage foreclosure mediation code, with a penalty provision.

SB 430—By Curls.

An Act to amend chapter 71, RSMo, by adding thereto one new section relating to the annexation of territory that contains any portion of a state highway.

SB 431—By Onder.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the Missouri Medicaid audit and compliance unit.

SB 432—By Onder.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health benefit plan rate release.

SB 433—By Dixon and Dempsey.

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to the compact for a balanced budget, with an emergency clause.

SB 434—By Schmitt.

An Act to repeal section 382.210, RSMo, and to enact in lieu thereof one new section relating to extraordinary dividends paid by insurers.

SB 435—By Walsh.

An Act to authorize the conveyance of property owned by the state in St. Louis County to St. Louis County.

SB 436—By Walsh.

An Act to repeal section 67.275, RSMo, and to enact in lieu thereof one new section relating to electrical contractor licenses issued by political subdivisions.

SB 437—By Walsh.

An Act to repeal sections 66.620, 66.630, 94.850, and 94.857, RSMo, and to enact in lieu thereof four new sections relating to local sales taxes.

SB 438—By Dempsey.

An Act to repeal sections 92.074, 92.077, 92.080, 92.083, 92.086, 92.089, and 92.092, RSMo, and to enact in lieu thereof four new sections relating to wireless telecommunications services taxes.

SB 439—By LeVota.

An Act to repeal section 478.463, RSMo, and to enact in lieu thereof one new section relating to the sixteenth judicial circuit.

SB 440—By Sifton, Schupp, Keaveny, Holsman, Chappelle-Nadal, Nasheed, Curls, Walsh and LeVota.

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to school antibullying policies.

SB 441—By Schaefer.

An Act to repeal section 339.010, RSMo, and to enact in lieu thereof one new section relating to real estate broker correspondence.

SB 442—By Schaefer.

An Act to repeal section 99.820, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

SB 443—By Schatz.

An Act to repeal section 301.280, RSMo, and to enact in lieu thereof one new section relating to temporary registration permit sales recording, with an existing penalty provision.

CONCURRENT RESOLUTIONS

Senator Emery offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 20

Whereas, the growth and abuse of federal regulatory authority threaten our constitutional liberties, including those guaranteed by the Bill of Rights in the First, Second, Fourth, and Fifth Amendments to our Constitution; and

Whereas, federal regulators must be more accountable to elected representatives of the people, and not immune from such accountability; and

Whereas, the United States House of Representatives has passed with bipartisan support the Regulations from the Executive in Need of Scrutiny (REINS) Act to require that Congress approve major new federal regulations before they can take effect; and

Whereas, even if enacted, a law may be repealed or waived by a future Congress and President:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge that the United States Congress vote to propose the Regulation Freedom Amendment to the United States Constitution as follows:

“Whenever one quarter of the members of the United States House of Representatives or the United States Senate transmits to the President their written declaration of opposition to a proposed federal regulation, it shall require a majority vote of the House of Representatives and the

Senate to adopt that regulation.”; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and each member of the Missouri Congressional delegation.

Senators Dixon, Emery and Wallingford offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 21

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Whereas, the Founders of our Constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas, it is the solemn duty of the states to protect the liberty of our people - particularly for the generations to come - to propose amendments to the United States Constitution through a convention of states under Article V to place clear restraints on these and related abuses of power:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby apply to Congress, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and members of Congress; and

Be It Further Resolved that this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds of the several states have made applications on the same subject; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Missouri Congressional delegation, and the presiding officers of each of the legislative houses in the several states requesting their cooperation.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS** for **SB 18** and **SCS** for **SB 38**, begs leave to report that it has considered the same and recommends that the bills do pass.

SENATE BILLS FOR PERFECTION

Senator Sater moved that **SB 24**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Riddle assumed the Chair.

SA 1 was again taken up.

At the request of Senator Nasheed, the above amendment was withdrawn.

SS for **SCS** for **SB 24** was again taken up.

At the request of Senator Sater, **SS** for **SCS** for **SB 24** was withdrawn.

Senator Sater offered **SS No. 2** for **SCS** for **SB 24**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 24

An Act to repeal section 208.040, RSMo, and to enact in lieu thereof three new sections relating to nonmedical public assistance.

Senator Sater moved that **SS No. 2** for **SCS** for **SB 24** be adopted.

Senator LeVota offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24, Page 12, Section 208.244, Line 17, by inserting immediately after all of said line the following: “**As a condition of eligibility for temporary assistance, a person eighteen years of age or older shall be a registered voter. No temporary assistance shall be paid to a person until the person has presented to the department proof that he or she is a registered voter.**”.

And further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted.

Senator Keaveny offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24, Page 1, Line 5, by inserting after the word “voter.” the following: “**The provisions of this section shall not apply to any person who is ineligible to register to vote.**”.

Senator Keaveny moved that the above amendment be adopted.

Senator Sater offered **SSA 1** for **SA 1** to **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24, Page 1, Line 4, by inserting after the word “proof” the following: “**, which shall include a government issued identification card that includes a photograph of the individual,**”.

Senator Sater moved that the above substitute amendment be adopted.

Senator Sifton raised the point of order that **SSA 1** for **SA 1** to **SA 1** is out of order in that it goes beyond

the 2nd degree.

The point of order was referred to the President Pro Tem who ruled it well taken.

SA 1 to **SA 1** was again taken up.

Senator Keaveny moved that the above amendment be adopted, which motion failed.

SA 1 was again taken up.

Senator LeVota moved that the above amendment be adopted and requested a role call vote be taken. He was joined in his request by Senators Nasheed, Schupp, Sifton and Walsh.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Holsman	Keaveny	LeVota	Nasheed	Schupp	Sifton	Silvey
Walsh—9							

NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaaf	Schaefer	Schatz	Schmitt	Wallingford	Wasson	Wieland—24

Absent—Senator Curls—1

Absent with leave—Senators—None

Vacancies—None

Senator Dixon offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24, Page 10, Section 208.040, Line 15, of said page, by striking the word “and” from the end of said line; and

Further amend said bill and section, page 11, line 7 of said page, by inserting immediately after “lifetime” the following: “; and

(7) The department shall develop a standardized program orientation for temporary assistance for needy families benefits applicants that informs applicants of the program's rules and requirements, available resources for work activities, and consequences if the program's requirements are not satisfied. Following the orientation, applicants shall sign a participation agreement in which applicants commit to participate in the program and specify the work activities in which they will participate. This participation agreement shall be known as a personal responsibility plan. The department shall not issue a case without confirmation that an applicant has undergone the orientation and signed a personal responsibility plan, unless the individual is otherwise exempt from the work activity requirements.”.

Senator Pearce assumed the Chair.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Nasheed offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24, Page 2, Section 208.026, Line 1, by inserting after “assistance” the following: “, **which shall include utilization of the employment database jobs.mo.gov. The department shall, in conjunction with the department of labor and industrial relations, create a database tracking method in order to track temporary assistance for needy families benefits recipients' utilization of the employment database for the purpose of recording work activities, as well as include information on jobs.mo.gov about the temporary assistance for needy families program's eligibility and work requirements, application process, and contact information**”.

Senator Nasheed moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24, Page 3, Section 208.026, Line 4, by inserting after the word “status” the following: “**and a representative of the department shall meet face-to-face with the person to explain the existing sanction and the requirements to cure the sanction**”.

Senator Kehoe assumed the Chair.

Senator Schupp moved that the above amendment be adopted.

Senator Dixon offered **SA 1 to SA 4**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24, Page 1, Line 3, by inserting after the word “shall” the following: “**attempt to**”.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Schatz offered **SA 2 to SA 4**:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24, Page 1, Line 3, by striking the word “shall” and inserting in lieu thereof the following: “**may**”.

Senator Schatz moved that the above amendment be adopted.

Senator Holsman raised the point of order that **SA 2 to SA 4** amends previously amended material.

The point of order was referred to the President Pro Tem who ruled it not well taken.

Senator Schatz moved that **SA 2 to SA 4** be adopted.

Senator Schaefer requested a roll vote be taken on the adoption of **SA 2** to **SA 4**. He was joined in his request by Senators Brown, Dixon, Holsman and Schatz.

SA 2 to **SA 4** failed of adoption by the following vote:

YEAS—Senators

Brown	Cunningham	Hegeman	Kehoe	Kraus	Libla	Munzlinger	Onder
Richard	Riddle	Romine	Schaefer	Schatz	Silvey	Wasson	Wieland—16

NAYS—Senators

Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Holsman	Keaveny	LeVota
Nasheed	Parson	Pearce	Sater	Schaaf	Schmitt	Schupp	Sifton
Wallingford	Walsh—18						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

SA 4, as amended was again taken up.

Senator Schupp moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Chappelle-Nadal offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24, Page 12, Section 208.244, Line 17, by inserting after all of said line the following:

“Section 1. As a condition of receiving temporary assistance for needy families benefits, a person applying for benefits, or on behalf a minor child, shall take and receive a passing grade on a basic civics test similar to the civics portion of the United States Naturalization test, produced by the United States Citizenship and Immigration Services (USCIS). The test shall use the same one hundred questions used by the USCIS that are administered to applicants for United States citizenship. In order to receive a passing score on the test, the person shall answer at least sixty of the one hundred questions correctly.”; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Keaveny, Holsman, Walsh and LeVota.

SA 5 failed of adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Holsman	LeVota	Libla	Schatz	Schupp
Silvey	Wasson	Wieland—11					

NAYS—Senators

Curls	Dempsey	Dixon	Emery	Hegeman	Keaveny	Kehoe	Kraus
Munzlinger	Nasheed	Onder	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schmitt	Sifton	Wallingford	Walsh—22		

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—None

Senator Sater moved that **SS No. 2** for **SCS** for **SB 24**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SS No. 2** for **SCS** for **SB 24**, as amended, was declared perfected and ordered printed.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SCS** for **SB 149** to the Committee on Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 241**, entitled:

An Act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to emergency vehicles, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 116** and **569**, entitled:

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

THIRD READING OF SENATE BILLS

SCS for **SB 18**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 18**

An Act to repeal section 144.021, RSMo, and to enact in lieu thereof one new section relating to notice of sales tax modifications.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SCS** for **SB 18** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 38**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 38

An Act to repeal section 208.952, RSMo, and to enact in lieu thereof one new section relating to the joint committee on MO HealthNet, with penalty provisions.

Was taken up by Senator Romine.

On motion of Senator Romine, **SCS** for **SB 38** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Wasson	Wieland—32

NAYS—Senators

Keaveny Walsh—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SB 14**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 14

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the transparency and accountability of public funds.

Was taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **SS** for **SB 14** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 26**, introduced by Senator Sater, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 26

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to emergency administration of epinephrine by auto-injector.

Was taken up.

On motion of Senator Sater, **SS** for **SCS** for **SB 26** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 5, introduced by Senator Schmitt, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 5

An Act to repeal section 302.341, RSMo, and to enact in lieu thereof one new section relating to the distribution of revenues from traffic violations, with an existing penalty provision.

Was taken up.

On motion of Senator Schmitt, **SS for SCS for SB 5** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 35**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 35**

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the termination of MO HealthNet services for participants residing out of state.

Was taken up by Senator Wallingford.

On motion of Senator Wallingford, **SCS** for **SB 35** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

CONCURRENT RESOLUTIONS

Senator Munzlinger moved that **SCR 10** be taken up for adoption, which motion prevailed.

On motion of Senator Munzlinger, **SCR 10** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer

Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—33							

NAYS—Senators—None

Absent—Senator Dempsey—1

Absent with leave—Senators—None

Vacancies—None

Senator Schmitt moved that for **SCR 11**, with **SCS**, be taken up adoption, which motion prevailed.
SCS for **SCR 11** was taken up.

Senator Schmitt moved that **SCS** for **SCR 11** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SCS** for **SCR 11** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

SCR 2, introduced by Senator Nasheed, entitled:

Relating to recognition of November as Pica Awareness Month in Missouri.

Was taken up.

On motion of Senator Nasheed, **SCR 2** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the concurrent resolution passed.

On motion of Senator Nasheed, title to the concurrent resolution was agreed to.

Senator Nasheed moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which were referred **SB 1**, **SB 22**, **SB 49** and **SB 70** begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 68**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 104**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 205**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 19**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 115**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 174**, begs

leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 82**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Riddle assumed the Chair.

REFERRALS

President Pro Tem Dempsey referred the Gubernatorial Appointments appearing on pages 328 and 329 of the Senate Journal for Wednesday, February 11, 2015 to the Committee on Gubernatorial Appointments.

RE-REFERRALS

President Pro Tem Dempsey re-referred **SB 175** to the Committee on Jobs, Economic Development and Local Government.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SB 286—Governmental Accountability and Fiscal Oversight.

SB 287—Veterans' Affairs and Health.

SB 288—Small Business, Insurance and Industry.

SB 289—Financial and Governmental Organizations and Elections.

SB 290—Education.

SB 291—Transportation, Infrastructure and Public Safety.

SB 292—Agriculture, Food Production and Outdoor Resources.

SB 293—Jobs, Economic Development and Local Government.

SB 294—Appropriations.

SB 295—Veterans' Affairs and Health.

SB 296—Transportation, Infrastructure and Public Safety.

SB 297—Transportation, Infrastructure and Public Safety.

SB 298—Veterans' Affairs and Health.

SB 299—Education.

SB 300—General Laws and Pensions.

SB 301—Veterans' Affairs and Health.

SB 302—Seniors, Families and Children.

- SB 303**—Judiciary and Civil and Criminal Jurisprudence.
- SB 304**—Judiciary and Civil and Criminal Jurisprudence.
- SB 305**—Commerce, Consumer Protection, Energy and the Environment.
- SB 306**—Appropriations.
- SB 307**—Judiciary and Civil and Criminal Jurisprudence.
- SB 308**—Jobs, Economic Development and Local Government.
- SB 309**—Judiciary and Civil and Criminal Jurisprudence.
- SB 310**—Commerce, Consumer Protection, Energy and the Environment.
- SB 311**—Education.
- SB 312**—Jobs, Economic Development and Local Government.
- SB 313**—Financial and Governmental Organizations and Elections.
- SB 314**—Ways and Means.
- SB 315**—Education.
- SB 316**—Veterans' Affairs and Health.
- SB 317**—Transportation, Infrastructure and Public Safety.
- SB 318**—Transportation, Infrastructure and Public Safety.
- SB 319**—Jobs, Economic Development and Local Government.
- SB 320**—Judiciary and Civil and Criminal Jurisprudence.
- SB 321**—Judiciary and Civil and Criminal Jurisprudence.
- SB 322**—Veterans' Affairs and Health.
- SB 323**—Jobs, Economic Development and Local Government.
- SB 324**—Agriculture, Food Production and Outdoor Resources.
- SB 325**—Veterans' Affairs and Health.
- SB 326**—Jobs, Economic Development and Local Government.
- SB 327**—Jobs, Economic Development and Local Government.
- SB 328**—Education.
- SB 329**—Veterans' Affairs and Health.
- SB 330**—Governmental Accountability and Fiscal Oversight.

SB 331—Transportation, Infrastructure and Public Safety.

SJR 6— Jobs, Economic Development and Local Government.

SJR 7— Small Business, Insurance and Industry.

SJR 8—Rules, Joint Rules, Resolutions and Ethics.

SJR 9—Ways and Means.

SJR 10—Financial and Governmental Organizations and Elections.

SJR 11—Ways and Means.

SJR 12—Education.

RESOLUTIONS

Senator Walsh offered Senate Resolution No. 325, regarding Matthew Lawrence Craig, Florissant, which was adopted.

Senator Curls offered Senate Resolution No. 326, regarding Johnson's Day Care, Kansas City, which was adopted.

Senator Libla offered Senate Resolution No. 327, regarding Ed DeGaris, Poplar Bluff, which was adopted.

Senator Riddle offered Senate Resolution No. 328, regarding the Fiftieth Wedding Anniversary of William and Mary Azdell, Mexico, which was adopted.

Senator Holsman offered Senate Resolution No. 329, regarding the Cosby Hotel, Jackson, which was adopted.

Senator Holsman offered Senate Resolution No. 330, regarding the Academy for Integrated Arts 3rd Grade classes, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Cunningham introduced to the Senate, the Physician of the Day, Dr. David Barbe, Mountain Grove.

Senator Kehoe introduced to the Senate, Jodie and Emily Wieberg, Missouri Head Start Association, Linn.

Senator Curls introduced to the Senate, representatives of the Mayor's Youth Commission, Rubies, Inc., Central High School, Gethsemane Youth Group, Kansas City.

Senator Keaveny introduced to the Senate, Greg Thompson and fourth grade students from Glenridge Elementary School, Clayton.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, February 16, 2015.

SENATE CALENDAR

TWENTY-SECOND DAY—MONDAY, FEBRUARY 16, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 332-Nasheed	SB 362-Parson
SB 333-Nasheed	SB 363-Parson
SB 334-Nasheed	SB 364-Parson
SB 335-Holsman	SB 365-Schmitt
SB 336-Kraus	SB 366-Schmitt
SB 337-Munzlinger	SB 367-Kraus
SB 338-Munzlinger	SB 368-Pearce
SB 339-Munzlinger	SB 369-Pearce
SB 340-Pearce	SB 370-Munzlinger
SB 341-Riddle	SB 371-Munzlinger
SB 342-Brown	SB 372-Keaveny
SB 343-Wasson	SB 373-Libla
SB 344-Wasson	SB 374-Schatz
SB 345-Wasson	SB 375-Schatz
SB 346-Wasson	SB 376-Schatz
SB 347-Dixon	SB 377-Schatz
SB 348-Schaefer	SB 378-Schatz
SB 349-Schaefer	SB 379-Schatz
SB 350-Schaefer	SB 380-Wieland
SB 351-Schaefer	SB 381-Dixon
SB 352-Schaefer	SB 382-Dixon
SB 353-Silvey	SB 383-Wallingford
SB 354-Sater	SB 384-Munzlinger
SB 355-Brown	SB 385-Keaveny
SB 356-Nasheed	SB 386-Keaveny
SB 357-Nasheed	SB 387-Wasson
SB 358-Kehoe	SB 388-Wasson
SB 359-Kehoe	SB 389-Silvey and Walsh
SB 360-Parson	SB 390-Curls
SB 361-Parson	SB 391-Curls

SB 392-Wieland	SB 419-Silvey
SB 393-Schupp	SB 420-Schmitt
SB 394-Wallingford	SB 421-Dixon
SB 395-Holsman	SB 422-Schaaf
SB 396-Holsman	SB 423-Brown
SB 397-Silvey	SB 424-Pearce
SB 398-Schatz	SB 425-Libla
SB 399-Onder	SB 426-Parson
SB 400-Onder	SB 427-Sifton
SB 401-Schmitt and Richard	SB 428-Curls
SB 402-Wieland	SB 429-Schaaf
SB 403-Kehoe	SB 430-Curls
SB 404-Kehoe	SB 431-Onder
SB 405-Hegeman	SB 432-Onder
SB 406-Munzlinger	SB 433-Dixon and Dempsey
SB 407-Onder	SB 434-Schmitt
SB 408-Libla	SB 435-Walsh
SB 409-Wallingford	SB 436-Walsh
SB 410-Wallingford	SB 437-Walsh
SB 411-Brown	SB 438-Dempsey
SB 412-Romine	SB 439-LeVota
SB 413-Romine	SB 440-Sifton, et al
SB 414-Wasson	SB 441-Schaefer
SB 415-Wasson	SB 442-Schaefer
SB 416-Wasson	SB 443-Schatz
SB 417-Chappelle-Nadal	SJR 13-Schaaf
SB 418-Chappelle-Nadal	SJR 14-Dixon

HOUSE BILLS ON SECOND READING

HCS for HB 259	HB 241-Davis
HB 150-Fitzpatrick	HCS for HBs 116 & 569

THIRD READING OF SENATE BILLS

SS for SCS for SB 149-Parson
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SBs 1, 22, 49 & 70-Pearce, with SCS
SB 104-Kraus
SB 205-Parson
SB 19-Kraus, with SCS

SB 115-Kraus, with SCS
SB 174-Schmitt and Chappelle-Nadal, with SCS
SB 82-Chappelle-Nadal

INFORMAL CALENDAR

CONSENT CALENDAR

Senate Bills

Reported 2/12

SB 68-Romine

RESOLUTIONS

To be Referred

SCR 20-Emery

SCR 21-Dixon, et al

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-SECOND DAY—TUESDAY, FEBRUARY 17, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“One travels more usefully when alone, because he reflects more.” (Thomas Jefferson)

There is much for us to reflect on as we travel here today. We rejoice and give thanks, O Lord for the hard work of highway crews that keep our streets and highways clear for our safe passage. We give You thanks not only for the beauty of the countryside blanketed in white mindful also of the functional beauty it brings for our benefit. We give thanks for our safe travel to be here to do the work we have before us. And, we rejoice and give thanks that You guide and direct our efforts. In Your Holy Name we pray. Amen

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 12, 2015 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 331, regarding Ernest A. Carpenter, Warrensburg, which

was adopted.

Senator Walsh offered Senate Resolution No. 332, regarding Ginny L. Lorton, which was adopted.

Senator Munzlinger offered Senate Resolution No. 333, regarding Laura Bardot, Lonedell, which was adopted.

Senator Munzlinger offered Senate Resolution No. 334, regarding Sarah Daubendiek, Sibley, which was adopted.

Senator Munzlinger offered Senate Resolution No. 335, regarding Brynne Davis, Liberty, which was adopted.

Senator Munzlinger offered Senate Resolution No. 336, regarding Tyler Dodd, Rolla, which was adopted.

Senator Munzlinger offered Senate Resolution No. 337, regarding Alex Jones, Clinton, which was adopted.

Senator Munzlinger offered Senate Resolution No. 338, regarding Joshua Koenig, Burfordville, which was adopted.

Senator Munzlinger offered Senate Resolution No. 339, regarding Zach Parsons, Warrensburg, which was adopted.

Senator Munzlinger offered Senate Resolution No. 340, regarding Channele Quinn, Charleston, which was adopted.

Senator Munzlinger offered Senate Resolution No. 341, regarding Clayton Robinson, Center, which was adopted.

Senator Munzlinger offered Senate Resolution No. 342, regarding Darby Schmidt, Defiance, which was adopted.

Senator Munzlinger offered Senate Resolution No. 343, regarding Brenna Scott, Jefferson City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 344, regarding Kate Wright, Lathrop, which was adopted.

Senators Sifton and Keaveny offered Senate Resolution No. 345, regarding Thomas Noble, Fenton, which was adopted.

Senators Sifton and Keaveny offered Senate Resolution No. 346, regarding Timothy E. Fitch, Fenton, which was adopted.

Senators Sifton and Keaveny offered Senate Resolution No. 347, regarding Joan Edleson, which was adopted.

Senators Sifton and Keaveny offered Senate Resolution No. 348, regarding Linda Wirick, Affton, which was adopted.

Senators Sifton and Keaveny offered Senate Resolution No. 349, regarding Keith B. Guller, Saint Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 350, regarding Nicholas Richard “Nick” Hafner, Jefferson City, which was adopted.

Senator Kraus offered Senate Resolution No. 351, regarding Dr. David Sharp, which was adopted.

Senator Onder offered Senate Resolution No. 352, regarding Darrel Lackey, Wentzville, which was adopted.

Senators Munzlinger and Kehoe offered Senate Resolution No. 353, regarding Norma Jean Pardun Townley, Jefferson City, which was adopted.

Senators Munzlinger and Schaefer offered Senate Resolution No. 354, regarding Dr. Abner Womack, which was adopted.

Senator Schatz offered Senate Resolution No. 355, regarding Kjia Zuroweste, New Haven, which was adopted.

Senator Kehoe offered Senate Resolution No. 356, regarding Stephen Forrester, Eldon, which was adopted.

Senator Silvey offered Senate Resolution No. 357, regarding Holly Liebel, Liberty, which was adopted.

Senator Silvey offered Senate Resolution No. 358, regarding Abigal Swinney, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 359, regarding Abigail Joyce Poe, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 360, regarding Sara Steel, Gladstone, which was adopted.

Senator Silvey offered Senate Resolution No. 361, regarding Madeline Keller, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 362, regarding Elizabeth Anne Little, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 363, regarding Caroline Elizabeth Abbott, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 364, regarding Lindi Oyler, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 365, regarding Mikayla Stupps, Kansas City, which was adopted.

Senator Dixon offered Senate Resolution No. 366, regarding Jacob Michael Pessina, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 367, regarding Tyler James Schuck, Springfield, which was adopted.

CONCURRENT RESOLUTIONS

Senator Schaefer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 22

Whereas, the population of illegal aliens in this country has more than tripled since 1982; and

Whereas, the specter of terrorism has increased the need for security from aliens who are illegally present in Missouri as well as the United States; and

Whereas, the resources of the State of Missouri are wrongfully drained by the unlawful influx of illegal aliens present in this state; and

Whereas, it is contrary to the rule of law for the federal government to require states to grant legal residence to individuals unlawfully present in this country; and

Whereas, it is contrary to the rule of law for the federal government to require states to provide benefits to illegal aliens; and

Whereas, the President of the United States has blatantly and flagrantly violated the rule of law by seeking to implement the "Deferred Action for Parents of Americans and Lawful Permanent Residents" program; and

Whereas, the deferred action program violates the rule of law by providing legal residence to over four million individuals who are currently in this country illegally; and

Whereas, the granting of legal status would enable illegal aliens to wrongfully take advantage of benefits provided by the State of Missouri; and

Whereas, the United States District Court for the Southern District of Texas granted a preliminary injunction enjoining the implementation of the deferred action program; and

Whereas, twenty-six states have sought such injunctive relief against the United States to prevent implementation of the deferred action program due to its blatant and flagrant violation of the rule of law of the United States; and

Whereas, it is the duty of the Attorney General of this state to defend and protect the rule of law of Missouri and of the United States:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby directs the Attorney General of Missouri to join in the pending legal action brought by the state of Texas against the implementation of the "Deferred Action for Parents of Americans and Lawful Permanent Residents" program by the President of the United States; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Attorney General of Missouri.

Senator Schmitt offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 23

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Whereas, the Founders of our Constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas, it is the solemn duty of the states to protect the liberty of our people - particularly for the generations to come - to propose amendments to the United States Constitution through a convention of states under Article V to place clear restraints on these and related abuses of power:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby apply to Congress, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and members of Congress; and

Be It Further Resolved that this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds of the several states have made applications on the same subject; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Missouri Congressional delegation, and the presiding officers of each of the legislative houses in the several states requesting their cooperation.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 444—By Schaaf.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet managed care programs.

Senator Pearce assumed the Chair.

SB 445—By Romine.

An Act to amend chapter 643, RSMo, by adding thereto one new section relating to sulfur dioxide ambient air quality monitoring.

SB 446—By Schupp and Brown.

An Act to repeal section 301.451, RSMo, and to enact in lieu thereof one new section relating to Purple Heart license plates.

Senator Romine assumed the Chair.

SB 447—By Wieland.

An Act to repeal sections 546.680, 546.690, 546.700, 546.710, 546.720, 546.730, 546.740, 546.750, 546.800, 546.810, 546.820, 565.006, 565.020, 565.030, 565.032, and 565.040, RSMo, sections 565.004 and 565.035 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 565.004 as enacted by senate bill no. 180, eighty-seventh general assembly, first regular session, and section 565.035 as enacted by senate bill no. 448, eighty-second general assembly, second regular session, and to enact in lieu thereof five new sections relating to repealing the death penalty, with penalty provisions.

SB 448—By Wieland.

An Act to repeal section 434.100, RSMo, and to enact in lieu thereof one new section relating to the assignment of liability in contracts for construction work.

SB 449—By Kraus.

An Act to repeal sections 285.530 and 302.063, RSMo, and to enact in lieu thereof three new sections relating to illegal aliens.

SB 450—By Emery.

An Act to repeal section 143.161, RSMo, and to enact in lieu thereof one new section relating to Missouri dependency exemptions.

SB 451—By Dixon.

An Act to repeal sections 488.650 and 610.140, RSMo, and to enact in lieu thereof two new sections relating to petitions for the expungement of records.

SB 452—By Schmitt, Schaefer and Nasheed.

An Act to repeal section 476.385, section 544.665 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 544.665 as enacted by house bill no. 62, ninety-fifth general assembly, first regular session, RSMo, and to enact in lieu thereof two new sections relating to the offense of failure to appear, with existing penalty provisions.

SB 453—By LeVota.

An Act to repeal section 210.1012 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 210.1012 as enacted by senate bill no. 84, ninety-fourth general assembly, first regular session, and sections 43.401 and 210.1014, RSMo, and to enact in lieu thereof three new sections relating to the Amber alert system.

SB 454—By LeVota.

An Act to repeal section 115.607, RSMo, and to enact in lieu thereof one new section relating to county political party committees.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS** for **SCS** for **SB 149**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 2** for **SCS** for **SB 24**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 149**, introduced by Senator Parson, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 149

An Act to amend chapters 67 and 144, RSMo, by adding thereto two new sections relating to tax incentives for data storage.

Was taken up.

On motion of Senator Parson, **SS** for **SCS** for **SB 149** was read the 3rd time and passed by the following

vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman	Keaveny
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Walsh	Wasson	Wieland—28				

NAYS—Senators

Emery	Onder	Schaaf	Schupp—4
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Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Sifton—2
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Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Pearce moved that **SB 1, SB 22, SB 49** and **SB 70**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 1, 22, 49** and **70**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 1, 22, 49 and 70**

An Act to repeal sections 160.011, 160.400, 160.403, 160.405, 160.410, 160.415, 160.417, 160.425, 162.081, 162.1250, 163.036, 167.121, 167.131, 171.031, and 210.861, RSMo, and to enact in lieu thereof forty-three new sections relating to elementary and secondary education, with an emergency clause.

Was taken up.

Senator Pearce moved that **SCS** for **SBs 1, 22, 49** and **70** be adopted.

At the request of Senator Pearce, **SB 1, SB 22, SB 49** and **SB 70**, with **SCS** (pending), were placed on the Informal Calendar.

Senator Kraus moved that **SB 104** be taken up for perfection, which motion prevailed.

Senator Keaveny offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 104, Page 2, Section 116.190, Line 38, by inserting immediately after the word

“and” the following: **“for measures appearing at a general election, as defined in section 115.121,”**.

Senator Keaveny moved that the above amendment be adopted, which motion failed.

On motion of Senator Kraus, **SB 104** was declared perfected and ordered printed.

Senator Parson moved that **SB 205** be taken up for perfection, which motion prevailed.

Senator Parson offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 205, Page 22, Section 382.230, Line 1, by inserting after the word “thereof” the following:

“in the possession or control of the director that are”.

Senator Parson moved that the above amendment be adopted, which motion prevailed.

Senator Parson offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 205, Page 10, Section 382.095, Line 51, by striking the opening and closing brackets that appear on said line and further amend said line by striking the number “6”.

Senator Parson moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 205, Page 24, Section 382.277, Line 7, by inserting after all of said line the following:

“382.278. The provisions of subdivisions (13) and (14) of subsection 1 of section 382.050, subdivision (5) of subsection 1 of section 382.110, and sections 382.175 and 382.220 shall not apply to an insurance holding company or its affiliates if the insurance company affiliates of such insurance holding company had total premiums, direct and ceded, of less than one hundred fifty million dollars in the preceding year.”; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion failed.

Senator Munzlinger offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Bill No. 205, Page 24, Section 382.277, Line 7, by inserting after all of said line the following:

“382.278. The provisions of subdivisions (13) and (14) of subsection 1 of section 382.050, subdivision (5) of subsection 1 of section 382.110, and sections 382.175 and 382.220 shall not apply to an insurance holding company or its affiliates if the insurance company affiliates of such insurance holding company had total premiums, direct and ceded, of less than two hundred million dollars in the preceding year.”; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion failed.

At the request of Senator Parson, **SB 205**, as amended, was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 104**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 12**.

HOUSE CONCURRENT RESOLUTION NO. 12

WHEREAS, Attorneys General or the Governors of seventeen states sued the federal government on December 3, 2014, claiming that President Barack Obama's order to the Department of Homeland Security to legalize the presence of approximately forty percent of the known undocumented immigrant population and afford them certain rights and benefits is unconstitutional; and

WHEREAS, the lawsuit includes and asserts a Take Care Clause claim and claims of both procedural and substantive violations of the Administrative Procedures Act; and

WHEREAS, the lawsuit seeks to uphold the rule of law, affirm limits on presidential power, and enforce the structural limits of the Constitution of the United States; and

WHEREAS, President Obama has candidly admitted that he unilaterally rewrote immigration law by stating, "I just took an action to change the law"; and

WHEREAS, President Obama's order has now been implemented via a directive issued by the Secretary of the Department of Homeland Security entitled the Jeh Charles Johnson Memorandum, *Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and with Respect to Certain Individuals Whose Parents are U.S. Citizens or Permanent Residents* (Nov. 20, 2014); and

WHEREAS, the states engaged in the lawsuit point to the act that "At the most basic level, the directive is a promise to openly tolerate entire classes of undocumented immigrants."; and

WHEREAS, the states engaged in the lawsuit consider it highly likely that the removal of a federal deportation threat combined with inducements to remain in the United States such as work authorization, Social Security, and Medicare, will trigger a new wave of undocumented immigration, exacerbate an existing humanitarian crisis along the Texas-Mexico border, increase human trafficking undertaken by drug cartels, and result in substantial expenditures of state funds for law enforcement, healthcare, and education; and

WHEREAS, the states engaged in the lawsuit consider it imperative to protect the right of the Congress of the United States to enact laws regarding immigration and to have such federal laws fully enforced and not rewritten or undermined under the guise of executive discretion; and

WHEREAS, the majority of citizens of this state do not support exempting certain classes of undocumented immigrants from the operation of federal law by executive order and also oppose the provision of costly state benefits to persons who are not citizens of the United States:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby call on Missouri Attorney General Chris Koster to file an independent lawsuit or join the seventeen other state Attorneys General from across the nation in challenging the validity of President Barack Obama's unilateral orders and their implementation in the Secretary of the Department of Homeland Security's directive; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Missouri Attorney General Chris Koster.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 15**.

HOUSE CONCURRENT RESOLUTION NO. 15

WHEREAS, high oil prices are having a major detrimental impact on families, farms, and businesses in Missouri and are likely to undercut the prospects for an economic recovery; and

WHEREAS, the United States currently imports almost half of its oil and petroleum products, making it dependent on foreign sources and subject to interruptions and price fluctuations stemming from geopolitical forces; and

WHEREAS, such instability has damaging consequences both for our economy and our national security; and

WHEREAS, the United States Geological Survey estimates a resource of up to 27 billion barrels of oil in the Chukchi and Beaufort seas of Alaska, providing a vast domestic oil reserve, but opposition and regulatory hurdles are keeping energy producers from accessing these resources; and

WHEREAS, the TransCanada Keystone XL pipeline project seeks to link expanded oil production from the Canadian oil sands to refineries in the United States and to facilitate the flow of oil from the Dakotas to the Gulf Coast, thereby decreasing our dependence on oil from outside of North America; and

WHEREAS, Canada is a close friend and ally, with whom we share links of infrastructure and energy networks and other ties, so that dollars spent on Canadian oil will likely contribute to the success of the American economy; and

WHEREAS, the TransCanada pipeline project is projected to create construction and manufacturing jobs in the United States, adding billions of dollars to the United States economy:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby call upon President Barack Obama and administration officials to:

(1) Support the increased importation of oil from Canadian oil sands and to approve the newly routed TransCanada Keystone XL pipeline to reduce our oil dependency on unstable governments, strengthen ties with an important ally, and create jobs for American workers;

(2) Support and facilitate permitting for oil production off the northern coast of Alaska to decrease our dependence on foreign oil and spur investment in the American economy; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama, Vice President Joe Biden, Secretary of State John Kerry, United States House of Representatives Speaker John Boehner, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

REFERRALS

President Pro Tem Dempsey referred **SCR 20** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Dempsey referred **SS No. 2** for **SCS** for **SB 24** to the Committee on Governmental Accountability and Fiscal Oversight.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 21—Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTIONS OF GUESTS

Senator Dixon introduced to the Senate, Ali and Emra Danisan and Ali Kinaci, Selcuk, Turkey.

On behalf of Senators Schatz, LeVota, Silvey, Brown, Emery, Wallingford, Pearce, Libla, Munzlinger, Onder, Kehoe, Brown, Hegeman and himself, Senator Munzlinger introduced to the Senate, Laura Bardot, Franklin County; Sarah Daubendiek, Lafayette County; Brynne Davis, Clay County; Tyler Dodd, Phelps County; Alex Jones, Henry County; Joshua Koenig, Cape Girardeau County; Zach Parsons, Johnson County; Chanelle Quinn, Mississippi County; Clayton Robinson, Ralls County; Darby Schmidt, St. Charles County; Brenna Scott, Cole County; Luke Walker, Phelps County; and Kate Wright, Clinton County, members of the 4-H Legislative Academy.

Senator Onder introduced to the Senate, Krista Woodward, St. Louis.

Senator Schupp introduced to the Senate, Rick Cantor, Karen Faszold and Stephen Kenion, St. Louis.

Senator Pearce introduced to the Senate, the Women's Foundation partnership with Cottey College, Chaperone Wendy Davis Doyle; and members Beatrice Urrutia, Phoenix, Arizona; Kelsey McCauley, Portland, Oregon; Abbey and Hailey Johnson, Marlin, Texas; Caroline and Haley Guerin, Belton, Texas; Emily Cortes, Paris, Texas; Ashlyn Swait, Nevada; and Cecelia Mackey, Southern California.

On motion of Senator Richard the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-THIRD DAY-WEDNESDAY, FEBRUARY 18, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 332-Nasheed	SB 346-Wasson
SB 333-Nasheed	SB 347-Dixon
SB 334-Nasheed	SB 348-Schaefer
SB 335-Holsman	SB 349-Schaefer
SB 336-Kraus	SB 350-Schaefer
SB 337-Munzlinger	SB 351-Schaefer
SB 338-Munzlinger	SB 352-Schaefer
SB 339-Munzlinger	SB 353-Silvey
SB 340-Pearce	SB 354-Sater
SB 341-Riddle	SB 355-Brown
SB 342-Brown	SB 356-Nasheed
SB 343-Wasson	SB 357-Nasheed
SB 344-Wasson	SB 358-Kehoe
SB 345-Wasson	SB 359-Kehoe

SB 360-Parson	SB 400-Onder
SB 361-Parson	SB 401-Schmitt and Richard
SB 362-Parson	SB 402-Wieland
SB 363-Parson	SB 403-Kehoe
SB 364-Parson	SB 404-Kehoe
SB 365-Schmitt	SB 405-Hegeman
SB 366-Schmitt	SB 406-Munzlinger
SB 367-Kraus	SB 407-Onder
SB 368-Pearce	SB 408-Libla
SB 369-Pearce	SB 409-Wallingford
SB 370-Munzlinger	SB 410-Wallingford
SB 371-Munzlinger	SB 411-Brown
SB 372-Keaveny	SB 412-Romine
SB 373-Libla	SB 413-Romine
SB 374-Schatz	SB 414-Wasson
SB 375-Schatz	SB 415-Wasson
SB 376-Schatz	SB 416-Wasson
SB 377-Schatz	SB 417-Chappelle-Nadal
SB 378-Schatz	SB 418-Chappelle-Nadal
SB 379-Schatz	SB 419-Silvey
SB 380-Wieland	SB 420-Schmitt
SB 381-Dixon	SB 421-Dixon
SB 382-Dixon	SB 422-Schaaf
SB 383-Wallingford	SB 423-Brown
SB 384-Munzlinger	SB 424-Pearce
SB 385-Keaveny	SB 425-Libla
SB 386-Keaveny	SB 426-Parson
SB 387-Wasson	SB 427-Sifton
SB 388-Wasson	SB 428-Curls
SB 389-Silvey and Walsh	SB 429-Schaaf
SB 390-Curls	SB 430-Curls
SB 391-Curls	SB 431-Onder
SB 392-Wieland	SB 432-Onder
SB 393-Schupp	SB 433-Dixon and Dempsey
SB 394-Wallingford	SB 434-Schmitt
SB 395-Holsman	SB 435-Walsh
SB 396-Holsman	SB 436-Walsh
SB 397-Silvey	SB 437-Walsh
SB 398-Schatz	SB 438-Dempsey
SB 399-Onder	SB 439-LeVota

SB 440-Sifton, et al
SB 441-Schaefer
SB 442-Schaefer
SB 443-Schatz
SB 444-Schaaf
SB 445-Romine
SB 446-Schupp and Brown
SB 447-Wieland
SB 448-Wieland

SB 449-Kraus
SB 450-Emery
SB 451-Dixon
SB 452-Schmitt, et al
SB 453-LeVota
SB 454-LeVota
SJR 13-Schaaf
SJR 14-Dixon

HOUSE BILLS ON SECOND READING

HCS for HB 259
HB 150-Fitzpatrick

HB 241-Davis
HCS for HBs 116 & 569

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 24-Sater
(In Fiscal Oversight)

SB 104-Kraus

SENATE BILLS FOR PERFECTION

SB 19-Kraus, with SCS
SB 115-Kraus, with SCS

SB 174-Schmitt and Chappelle-Nadal, with SCS
SB 82-Chappelle-Nadal

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SBs 1, 22, 49 & 70-Pearce, with SCS (pending)

SB 205-Parson

CONSENT CALENDAR

Senate Bills

Reported 2/12

SB 68-Romine

RESOLUTIONS

To be Referred

SCR 22-Schaefer
SCR 23-Schmitt

HCR 12-Cierpiot
HCR 15-Roden

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-THIRD DAY—WEDNESDAY, FEBRUARY 18, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You would keep him in perfect peace whose mind is stayed on you.” (Isaiah 26:3)

O Lord, we begin a journey Christians know as Lent. It is a time for all humankind to look at their lives and see that they need Your help along difficult pathways that can lead us to disagreements and wrongful behavior. So, help us Lord to remember that Your word prescribes a way to handle temptations to err, so that peace and accord among us will dwell and we may walk Your righteous path. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 368, regarding the death of Roland O. Wetzel, St. Charles, which was adopted.

Senator Sater offered Senate Resolution No. 369, regarding Phillip Bailey, Golden, which was adopted.

Senator Sater offered Senate Resolution No. 370, regarding Jackie Moore, Mount Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 371, regarding the Scott Regional Technology Center, Monett, which was adopted.

Senator Parson offered Senate Resolution No. 372, regarding Willetta Reser, Bolivar, which was adopted.

Senator Schupp offered Senate Resolution No. 373, regarding Melanie Turnage, which was adopted.

Senator Schupp offered Senate Resolution No. 374, regarding Lori Greiner, which was adopted.

Senator Schupp offered Senate Resolution No. 375, regarding Michael Dragoni, which was adopted.

Senator Schupp offered Senate Resolution No. 376, regarding Bridget Elder, which was adopted.

Senator Schupp offered Senate Resolution No. 377, regarding Wendy Gehner, which was adopted.

Senator Schupp offered Senate Resolution No. 378, regarding Gay Lynn Schnelker, which was adopted.

Senator Schupp offered Senate Resolution No. 379, regarding Lori Mestman, which was adopted.

Senator Schupp offered Senate Resolution No. 380, regarding Jennifer Wellman, which was adopted.

Senator Schupp offered Senate Resolution No. 381, regarding Mandy Harvell, which was adopted.

Senator Schupp offered Senate Resolution No. 382, regarding Mayor Conrad W. Bowers, Bridgeton, which was adopted.

Senator Pearce offered Senate Resolution No. 383, regarding Kimberly M. Watts, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 384, regarding Antonio Baker, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 385, regarding Wallace Singleton, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 386, regarding Wallace Jerome Singleton, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 387, regarding Simone Rachelle Johnson, Higginsville, which was adopted.

Senator Pearce offered Senate Resolution No. 388, regarding Winifred T. Hill, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 389, regarding Mary Hollaway, Warrensburg, which was

adopted.

Senator Pearce offered Senate Resolution No. 390, regarding Ida M. Harris, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 391, regarding Imogene Elizabeth Talbert, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 392, regarding Stevie D. Hardin, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 393, regarding Mary Roberson, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 394, regarding Bridgette Louise Campbell, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 395, regarding Jamie Levine-Jordan, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 396, regarding Rosetta Mayfield, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 397, regarding Walter Shannon, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 398, regarding Harold C. Morgan, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 399, regarding Marvin Leroy Miller, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 400, regarding Edward Thomas Miller, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 401, regarding Virginia Banks, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 402, regarding Merlene Uriel, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 403, regarding Clara Stevens, Lee's Summit, which was adopted.

Senator Pearce offered Senate Resolution No. 404, regarding Laura B. Goodwin, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 405, regarding Bruce Edward Kerr, Platte City, which was adopted.

Senator Pearce offered Senate Resolution No. 406, regarding Spencer K. Taylor, Warrensburg, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 455—By Kehoe.

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to employee-employer relations.

SB 456—By Kehoe.

An Act to repeal sections 301.140, 301.190, and 407.581, RSMo, and to enact in lieu thereof three new sections relating to the ownership of motor vehicles.

SB 457—By Sater.

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to notification of adverse action against a licensee to the board of pharmacy.

SB 458—By Sater.

An Act to repeal sections 338.270 and 338.347, RSMo, and to enact in lieu thereof two new sections relating to the renewal of licenses issued by the board of pharmacy.

SB 459—By Libla.

An Act to repeal sections 1.310 and 536.205, RSMo, and to enact in lieu thereof four new sections relating to administrative rulemaking.

SB 460—By Silvey.

An Act to repeal section 67.657, RSMo, and to enact in lieu thereof two new sections relating to bonding authority.

SB 461—By Wieland.

An Act to amend chapter 68, RSMo, by adding thereto one new section relating to advanced industrial manufacturing zones, with an expiration date.

SENATE BILLS FOR PERFECTION

Senator Pearce moved that **SB 1**, **SB 22**, **SB 49** and **SB 70**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SBs 1, 22, 49** and **70** was again taken up.

Senator Kehoe assumed the Chair.

Senator Pearce offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 43, Section 162.1250, Lines 57-59, by striking said lines and inserting in lieu thereof the following: “**to transfer to an accredited school in the district of residence is eligible to enroll in a**”.

Senator Pearce moved that the above amendment be adopted.

Senator Onder offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 43, Section 162.1250, Line 59, by striking all of said line and inserting in lieu thereof the following: “**district that has been classified as unaccredited or provisionally accredited by the state board of education or has a three year average annual performance report score consistent with a state board of education classification of unaccredited or provisionally accredited at any time after the effective date of this section, or any child who is eligible to enroll in kindergarten or first grade in a district in the same or an adjoining county as a district that has been classified as unaccredited or provisionally accredited by the state board of education or has a three year average annual performance report score consistent with a state board of education classification of unaccredited or provisionally accredited at any time after the effective date of this section is eligible to enroll in a**”.

Senator Onder moved that the above substitute amendment be adopted.

Senator Onder offered **SA 1** to **SSA 1** for **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 1, Lines 4-7 of said page, by striking the following: “**or has a three year average annual performance report score consistent with a state board of education classification of unaccredited or provisionally accredited**”; and further amend lines 12-14 of said page, by striking the following: “**or has a three year average annual performance report score consistent with a state board of education classification of unaccredited or provisionally accredited**”.

Senator Onder moved that the above amendment be adopted.

At the request of Senator Pearce, **SB 1**, **SB 22**, **SB 49** and **SB 70**, with **SCS**, **SA 1**, **SSA 1** for **SA 1**, and **SA 1** to **SSA 1** for **SA 1** (pending), were placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 21**.

HOUSE CONCURRENT RESOLUTION NO. 21

WHEREAS, the definition of “waters of the United States” under the Clean Water Act establishes the fundamental scope of federal authority to regulate activities in U.S. waters and wetlands. The U.S. Supreme Court has found on multiple occasions that the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Army Corps) have exceeded their authority in defining these waters beyond the intended scope of federal regulation; and

WHEREAS, in response to the Supreme Court decisions, the EPA and Army Corps have recently proposed an amended definition to clarify federal jurisdiction. Unfortunately, the EPA and Army Corps have once again missed the mark and continue to ignore the limits on their authority, usurping powers reserved to the states under the Tenth Amendment to the U.S. Constitution; and

WHEREAS, the proposed rule would create greater uncertainty for businesses and homeowners rather than providing clarity. The proposed rule would add new definitions for key technical terms that introduce ambiguities and vagaries into federal regulation. Confusion would inevitably lead to further litigation, tying up our courts, delaying economic development, and wasting taxpayer money; and

WHEREAS, high quality scientific input must be the basis for environmental regulations, and the end result of scientific review should never be presumed. The EPA and Army Corps have failed to allow scientific review to be completed before moving forward with the proposed rule. In the rush to promulgate rules, the primary scientific report remains incomplete; and

WHEREAS, the proposed rule would actually expand federal jurisdiction to more waters and wetlands rather than limiting or simply clarifying jurisdiction as outlined by the U.S. Supreme Court. The EPA's economic analysis estimates that the proposed rule would increase jurisdiction by 3 percent, potentially leading to 1,400 more permits required and nearly \$220 million in additional costs to farmers, businesses, and homeowners. Furthermore, the economic analysis' assumptions and methodology significantly underestimate the potential jurisdictional expansion; and

WHEREAS, any increases in federal jurisdiction will infringe upon state authority to regulate state waters. The state waters and wetlands affected by the proposed rule have minimal, if any, connection to federally navigable waters. Expanded federal jurisdiction limits the flexibility of Missouri and other states to create a regulatory environment that meets the needs and addresses the priorities of state residents. In 2013, Missouri passed the Multipurpose Water Resource Act, which contained several new regulations aimed at protecting water resources and improving tap water quality. The state's Clean Water Commission, which works to enforce water pollution laws, also approved new rules that significantly increase protection for rivers, streams, and lakes, making them safer for swimming, fishing, and aquatic life; and

WHEREAS, this flawed proposal demonstrates again that core decisions, such as the scope of federal authority, must be left to our elected Representatives and Senators in the U.S. Congress, not to relatively unaccountable federal agencies:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the U.S. Environmental Protection Agency and the U.S. Army Corps of Engineers to withdraw their proposed rule expanding the definition of "waters of the United States" under the Clean Water Act; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Administrator of the U.S. Environmental Protection Agency, the Commanding General of the U.S. Army Corps of Engineers, and the members of the Missouri congressional delegation.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

SENATE BILLS FOR PERFECTION

Senator Pearce moved that **SB 1**, **SB 22**, **SB 49** and **SB 70**, with **SCS**, **SA 1**, **SSA 1** for **SA 1**, and **SA 1** to **SSA 1** for **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 to **SSA 1** for **SA 1** was again taken up.

At the request of Senator Onder, the above amendment was withdrawn.

Senator Onder offered **SA 2** to **SSA 1** for **SA 1**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 1, Line 1, by inserting after "Section 162.1250" the following: "Line 58, by striking the words "or an adjoining"; and further amend"; and further amend said

substitute amendment, lines 9-10 by striking the words “or an adjoining”.

Senator Onder moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 3** to **SSA 1** for **SA 1**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Committee Substitute for Senate Bills Nos. 1, 22, 40 and 70, Page 1, Line 15, by inserting at the end of said line the following: “; further amend line 60 by inserting after “choice” the following: “, **provided that the total number of students enrolled in a virtual school of choice under this subsection at any one time shall not exceed one percent of the total school district enrollment of the counties from which students are eligible to transfer. However, this one percent limitation shall not require any student enrolled in a virtual school of choice to withdraw in the event the one percent limitation is exceeded**”; and further amend said bill and section, page 44, line 90, by inserting at the end of said line the following: “**The provisions of this subsection shall terminate on June 30, 2025.**”; and further amend said bill, section 167.826, line 36, by inserting immediately after “(3)” the following: “**Until June 30, 2025,**”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Pearce, **SB 1**, **SB 22**, **SB 49** and **SB 70**, with **SCS**, **SA 1** and **SSA 1** for **SA 1** (pending), were placed on the Informal Calendar.

REFERRALS

President Pro Tem Dempsey referred **SCR 22**, **HCR 12** and **HCR 15** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 23—Rules, Joint Rules, Resolutions and Ethics.

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 407, regarding Gary Rust, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 408, regarding Lurlyne Lee Snider, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 409, regarding Lori Trump, Cape Girardeau, which was adopted.

Senator Pearce offered Senate Resolution No. 410, regarding Carly Marie Hibner, Chillicothe, which was adopted.

Senator Pearce offered Senate Resolution No. 411, regarding the Jacob Price Home, Lexington, which

was adopted.

Senator Pearce offered Senate Resolution No. 412, regarding Dr. Thomas B. Hall, III, Arrow Rock, which was adopted.

Senator Pearce offered Senate Resolution No. 413, regarding Mollie Swift, Marshall, which was adopted.

Senator Pearce offered Senate Resolution No. 414, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Jack McWhirt, Blue Springs, which was adopted.

Senator Dixon offered Senate Resolution No. 415, regarding Konnor Temple, which was adopted.

Senator Dixon offered Senate Resolution No. 416, regarding Jordan McGee, which was adopted.

Senator Dixon offered Senate Resolution No. 417, regarding Samantha Nichols, which was adopted.

Senator Hegeman offered Senate Resolution No. 418, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Garland Taylor, Excelsior Springs, which was adopted.

Senator Hegeman offered Senate Resolution No. 419, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gerald Stoll, Stanberry, which was adopted.

Senator Pearce offered Senate Resolution No. 420, regarding the Twenty-fifth Anniversary of the Marshall Public Library, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Hegeman introduced to the Senate, Ve'Shawn Dixon, and his parents, Ron & Stacy McGhee, Kansas City, Kansas.

Senator Chappelle-Nadal introduced to the Senate, C. M. Winters, Chicago, Illinois.

Senator Schaefer introduced to the Senate, Head Coach Justin Conyers, Assistant Coaches, Steve Spence, Ben Smith, Jonathan Dinter, Cedric Alvis, Matt Heerman, Nick Arnold, Tyler Benjamin, Carlos Hall, Mike Morris, Sean Nevills, Gary Tyler, Atiyyah Ellison, Richard Barber, Dan Kruse and Justin Conyers; and members of the Class 5 State Champion Battle High School Football Team, Columbia.

Senator Schmitt introduced to the Senate, Dr. Jastin Antisdell, his wife, Jamie, and their daughter, Adali, Sunset Hills; and Adali was made an honorary page.

The President introduced to the Senate, Jacob Prasifka, Columbia.

Senator Kehoe introduced to the Senate, President Dr. Jon Bauer, East Central College, Union.

Senator Schmitt introduced to the Senate, his wife, Jaime, Glendale.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-FOURTH DAY—THURSDAY, FEBRUARY 19, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 332-Nasheed	SB 362-Parson
SB 333-Nasheed	SB 363-Parson
SB 334-Nasheed	SB 364-Parson
SB 335-Holsman	SB 365-Schmitt
SB 336-Kraus	SB 366-Schmitt
SB 337-Munzlinger	SB 367-Kraus
SB 338-Munzlinger	SB 368-Pearce
SB 339-Munzlinger	SB 369-Pearce
SB 340-Pearce	SB 370-Munzlinger
SB 341-Riddle	SB 371-Munzlinger
SB 342-Brown	SB 372-Keaveny
SB 343-Wasson	SB 373-Libla
SB 344-Wasson	SB 374-Schatz
SB 345-Wasson	SB 375-Schatz
SB 346-Wasson	SB 376-Schatz
SB 347-Dixon	SB 377-Schatz
SB 348-Schaefer	SB 378-Schatz
SB 349-Schaefer	SB 379-Schatz
SB 350-Schaefer	SB 380-Wieland
SB 351-Schaefer	SB 381-Dixon
SB 352-Schaefer	SB 382-Dixon
SB 353-Silvey	SB 383-Wallingford
SB 354-Sater	SB 384-Munzlinger
SB 355-Brown	SB 385-Keaveny
SB 356-Nasheed	SB 386-Keaveny
SB 357-Nasheed	SB 387-Wasson
SB 358-Kehoe	SB 388-Wasson
SB 359-Kehoe	SB 389-Silvey and Walsh
SB 360-Parson	SB 390-Curls
SB 361-Parson	SB 391-Curls

SB 392-Wieland	SB 428-Curls
SB 393-Schupp	SB 429-Schaaf
SB 394-Wallingford	SB 430-Curls
SB 395-Holsman	SB 431-Onder
SB 396-Holsman	SB 432-Onder
SB 397-Silvey	SB 433-Dixon and Dempsey
SB 398-Schatz	SB 434-Schmitt
SB 399-Onder	SB 435-Walsh
SB 400-Onder	SB 436-Walsh
SB 401-Schmitt and Richard	SB 437-Walsh
SB 402-Wieland	SB 438-Dempsey
SB 403-Kehoe	SB 439-LeVota
SB 404-Kehoe	SB 440-Sifton, et al
SB 405-Hegeman	SB 441-Schaefer
SB 406-Munzlinger	SB 442-Schaefer
SB 407-Onder	SB 443-Schatz
SB 408-Libla	SB 444-Schaaf
SB 409-Wallingford	SB 445-Romine
SB 410-Wallingford	SB 446-Schupp and Brown
SB 411-Brown	SB 447-Wieland
SB 412-Romine	SB 448-Wieland
SB 413-Romine	SB 449-Kraus
SB 414-Wasson	SB 450-Emery
SB 415-Wasson	SB 451-Dixon
SB 416-Wasson	SB 452-Schmitt, et al
SB 417-Chappelle-Nadal	SB 453-LeVota
SB 418-Chappelle-Nadal	SB 454-LeVota
SB 419-Silvey	SB 455-Kehoe
SB 420-Schmitt	SB 456-Kehoe
SB 421-Dixon	SB 457-Sater
SB 422-Schaaf	SB 458-Sater
SB 423-Brown	SB 459-Libla
SB 424-Pearce	SB 460-Silvey
SB 425-Libla	SB 461-Wieland
SB 426-Parson	SJR 13-Schaaf
SB 427-Sifton	SJR 14-Dixon

HOUSE BILLS ON SECOND READING

HCS for HB 259

HB 150-Fitzpatrick

HB 241-Davis

HCS for HBs 116 & 569

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 24-Sater
(In Fiscal Oversight)

SB 104-Kraus

SENATE BILLS FOR PERFECTION

SB 19-Kraus, with SCS
SB 115-Kraus, with SCS

SB 174-Schmitt and Chappelle-Nadal, with SCS
SB 82-Chappelle-Nadal

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SBs 1, 22, 49 & 70-Pearce, with SCS, SA 1
& SSA 1 for SA 1 (pending)

SB 205-Parson

CONSENT CALENDAR

Senate Bills

Reported 2/12

SB 68-Romine

RESOLUTIONS

To be Referred

HCR 21-Miller

✓

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-FOURTH DAY—THURSDAY, FEBRUARY 19, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Therefore my heart is glad, and my soul rejoices; my body also rests secure.” (Psalm 16:9)

Gracious God, as we finish up here and head home we are thankful that You have given us that special “homing instinct” that calls us back home to loved ones for which we are most thankful. And, may we live as those who feel at home with You, our God, and the people whom You gather together for worship and service. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Curls offered Senate Resolution No. 421, regarding Missouri Foster Grandparent Programs, which was adopted.

Senator Wieland offered Senate Resolution No. 422, regarding Wanda Kiggans, Hillsboro, which was adopted.

Senator Sater offered Senate Resolution No. 423, regarding Mike Powell, Springfield, which was adopted.

Senator Sater offered Senate Resolution No. 424, regarding the Ninetieth Birthday of Lula Mae Coffee, Jane, which was adopted.

Senator Sater offered Senate Resolution No. 425, regarding the Fifty-fifth Wedding Anniversary of Stanley W. and Suzanne L. Potter, Lampe, which was adopted.

CONCURRENT RESOLUTIONS

Senator Holsman offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 24

Whereas, the first President of the United States George Washington stated, “The basis of our political systems is the right of the people to make and to alter their Constitutions of Government.”; and

Whereas, it was the stated intention of the framers of the Constitution of the United States of America that the Congress of the United States of America should be “dependent on the people alone.” (James Madison, Federalist 52); and

Whereas, that dependency has evolved from a dependency on the people alone to a dependency on those who spend excessively in elections, through campaigns or third-party groups; and

Whereas, the United States Supreme Court ruling in *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010) removed restrictions on amounts of independent political spending; and

Whereas, the removal of those restrictions has resulted in the unjust influence of powerful economic forces, which have supplanted the will of the people by undermining our ability to choose our political leadership, write our own laws, and determine the fate of our state; and

Whereas, Article V of the United States Constitution requires the United States Congress to call a convention for proposing amendments upon application of two-thirds of the legislatures of the several states for the purpose of proposing amendments to the United States Constitution; and

Whereas, the state of Missouri sees the need for a convention to propose amendments in order to address concerns such as those raised by the decision of the United States Supreme Court in *Citizens United v. Federal Election Commission* (2010) 130 S.Ct. 876 and related cases and events including those occurring long before or afterward or for a substantially similar purpose, and desires that said convention should be so limited; and

Whereas, the state of Missouri desire that the delegates to said convention shall be comprised equally of individuals currently elected to state and local office, or be selected by election, in each congressional district for the purpose of serving as delegates, though all individuals elected or appointed to federal office, now or in the past, be prohibited from serving as delegates to the convention, and intends to retain the ability to restrict or expand the power of its delegates within the limits expressed above; and

Whereas, the state of Missouri intends that this be a continuing application considered together with applications calling for a convention passed in the 2013-2014 Vermont legislature as R454, the 2013-2014 California legislature as Resolution Chapter 77, the 2013-2014 Illinois legislature as Senate Joint Resolution No. 42, and all other passed, pending, and future applications, the aforementioned concerns of Missouri notwithstanding until such time as two-thirds of the several states have applied for a convention and said convention is convened by Congress:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress to call a convention for the purpose of proposing amendments to the Constitution of the United States of America as soon as two-thirds of the several states have applied for a convention; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the Vice President of the United States in his capacity as presiding officer of the United States Senate, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, the President Pro Tempore of the United States Senate and the members of the Missouri Congressional delegation with the respectful request that the full and

complete text of this resolution be printed in the *Congressional Record*; to the Governor of each state, and to the presiding officers of each legislative body of each of the several states, requesting the cooperation of the states in issuing an application compelling Congress to call a convention for proposing amendments pursuant to Article V of the United States Constitution.

Senator Munzlinger offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 25

Whereas, recognizing that chronic wasting disease has impacted the state and threatens Missouri deer, deer hunters, wildlife enthusiasts, and landowners; and

Whereas, a disproportionate negative impact on certain areas of the state that depend on a healthy and vibrant deer population has been felt; and

Whereas, Missouri jobs, businesses, and communities are strongly supported by the economic activity related to hunting; and

Whereas, encouraging a safe, healthy, and lucrative hunting industry in Missouri will give rise to good paying jobs, significant economic development, and profitable recreational activity:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create the Missouri Wildlife Revitalization Task Force; and

Be It Further Resolved that the mission of the task force shall be to fully consider:

- (1) Establishing a wildlife focus area in certain areas of the state that have been most negatively impacted by chronic wasting disease;
- (2) Ways to revitalize hunting and outdoor activities in certain areas of the state after a chronic wasting disease containment plan has been initiated;
- (3) Legislative proposals including rules and regulations necessary for implementation relating to the promotion of the hunting industry;
- (4) The effects of chronic wasting disease on certain areas in Missouri, including counties that have experienced confirmed cases of the disease, and how the enactment or establishment of certain proposals may curtail such effects; and

Be It Further Resolved that the task force be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

Be It Further Resolved that the task force shall consist of all of the following members:

- (1) One member of the General Assembly of the majority party appointed by the President Pro Tempore of the Senate to serve as the chair of the task force, with preference given to General Assembly members serving the affected area;
- (2) One member of the General Assembly of the majority party and one member of the General Assembly of the minority party appointed by the President Pro Tempore of the Senate to serve as members of the task force, with preference given to General Assembly members serving the affected area; and
- (3) One member of the General Assembly of the majority party appointed by the Speaker of the House of representatives, with preference given to a General Assembly member serving the affected area, to serve as the vice-chair and secretary of the task force, and who will provide an agenda and report minutes of the task force; and
- (4) One member of the General Assembly of the majority party and one member of the General Assembly of the minority party appointed by the Speaker of the House of Representatives to serve as members of the task force, with preference given to a General Assembly member serving the affected area; and
- (5) One member from Quail Forever, Incorporated appointed by the President Pro Tempore of the Senate to serve as a member of the task force;
- (6) One member from Pheasants Forever, Incorporated appointed by the President Pro Tempore of the Senate to serve as a member of the task force;
- (7) One member from Whitetails Unlimited appointed by the Speaker of the House of Representatives to serve as a member of the task force;
- (8) One member from the Conservation Federation of Missouri appointed by the Speaker of the House of Representatives to serve as a member of the task force;

(9) Two members owning land in an affected area appointed by the President Pro Tempore of the Senate to serve as members of the task force;

(10) Two members owning land in an affected area appointed by the Speaker of the House of Representatives to serve as members of the task force; and

Be It Further Resolved that the staff of Senate Research and House Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

Be It Further Resolved that the task force, its members, and any staff assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee; and

Be It Further Resolved that the chair or vice-chair and secretary of the task force shall call an organizational meeting within fifteen days of the adoption of this resolution; and

Be It Further Resolved that the task force shall terminate by either a majority of members voting for termination, or by December 31, 2015, whichever occurs first; and

Be It Further Resolved that on the date of termination, the task force may deliver a report of findings and recommendations to the General Assembly and the Missouri Department of Conservation; and

Be It Further Resolved that this resolution does not amend any state law to which the Department of Conservation or the Department of Agriculture is subject, and shall be interpreted to be consistent with any requirements of such state or federal law; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Director of the Department of Conservation.

Senator Dempsey offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 26

Whereas, human trafficking is a form of slavery in which psychological and physical coercion is used to force people to perform commercial sex acts, house-keeping, farm work, and other types of labor and services; and

Whereas, the human trafficking industry generates one hundred fifty billion dollars in annual profits throughout the world on the backs of an estimated twenty-one million victims, including five and a half million children; and

Whereas, despite the efforts of dozens of nonprofit organizations dedicated to fighting human trafficking, it is the fastest growing criminal industry in the world:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create the Human Trafficking Task Force; and

Be It Further Resolved that the mission of the task force shall be to raise awareness of the human trafficking problem in Missouri and provide organizations and agencies that enforce human trafficking laws and assist victims with a central place to share information; and

Be It Further Resolved that the task force shall consist of the following members:

- (1) Two members of the Senate to be appointed by the President Pro Tempore of the Senate;
- (2) Two members of the House of Representatives to be appointed by the Speaker of the House of Representatives;
- (3) The Attorney General or his or her designee;
- (4) The Director of the Department of Public Safety or his or her designee;
- (5) The Director of the Department of Corrections or his or her designee;
- (6) A circuit court judge who has experience handling juvenile court matters, appointed by the President Pro Tempore of the Senate;
- (7) A prosecuting or circuit attorney, appointed by the Speaker of the House of Representatives;
- (8) A juvenile officer from a circuit court, appointed by the President Pro Tempore of the Senate;
- (9) The Commissioner of Education or his or her designee;
- (10) The Director of the Department of Social Services or his or her designee;
- (11) The Director of the Department of Mental Health or his or her designee;

(12) One representative from the Missouri Police Chiefs Association, appointed by the President Pro Tempore of the Senate, and one representative from the Missouri Sheriffs Association, appointed by the Speaker of the House of Representatives;

(13) Four representatives from geographically diverse non-governmental organizations that assist victims of human trafficking, two of whom shall be appointed by the President Pro Tempore of the Senate and two of whom shall be appointed by the Speaker of the House of Representatives; and

Be It Further Resolved that the staffs of Senate Research, House Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

Be It Further Resolved that the task force, its members, and any staff assigned to the task force shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Task Force or any subcommittee thereof; and

Be It Further Resolved that the task force shall meet within two months from adoption of this resolution; and

Be It Further Resolved that the task force shall report a summary of its activities and any recommendations for legislation to the General Assembly by January 1, 2017; and

Be It Further Resolved that the Human Trafficking Task Force is authorized to function during the legislative interim of both the first and second regular sessions of the 98th General Assembly, as authorized by State v. Atterbury, 300 S.W.2d 806 (Mo. 1957); and

Be It Further Resolved that the task force shall terminate on January 1, 2017; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Attorney General, the Director of the Department of Public Safety, the Director of the Department of Corrections, the Director of the Department of Mental Health, the Director of the Department of Elementary and Secondary Education, and the Director of the Department of Social Services.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 462—By Schaefer.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to a deduction for certain federal tax payments.

SB 463—By Dixon.

An Act to repeal sections 135.1150 and 135.1180, RSMo, and to enact in lieu thereof two new sections relating to benevolent tax credits.

SB 464—By Dixon.

An Act to repeal sections 135.341, 210.001, 210.110, 455.230, and 492.304, RSMo, and to enact in lieu thereof six new sections relating to child protection.

SB 465—By Schmitt.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to curriculum for degrees offered by public colleges and universities.

SB 466—By Schmitt.

An Act to amend chapter 191, RSMo, by adding thereto three new sections relating to treatment policies in health care facilities.

SB 467—By Sifton.

An Act to repeal sections 516.371 and 537.046, RSMo, section 556.036 as enacted by senate bill

no. 491, ninety-seventh general assembly, second regular session, section 556.036 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, section 556.037 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 556.037 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, and to enact in lieu thereof four new sections relating to statutes of limitations for certain offenses against a child, with existing penalty provisions.

SB 468—By Sifton.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to the management of dyslexia and related disorders in public schools.

SB 469—By Munzlinger.

An Act to repeal sections 266.301, 266.311, 266.331, 266.336, 266.341, 266.343, and 266.347, RSMo, and to enact in lieu thereof six new sections relating to the establishment of the fertilizer control board, with penalty provisions.

SB 470—By Parson.

An Act to repeal section 379.470, RSMo, and to enact in lieu thereof one new section relating to authorizing a return of premiums paid by insureds.

SB 471—By Schaaf.

An Act to repeal section 143.161, RSMo, and to enact in lieu thereof one new section relating to Missouri dependency exemptions.

SB 472—By Schaaf.

An Act to amend chapter 334, RSMo, by adding thereto one new section relating to the registration of radiology technologists.

SB 473—By Schaaf.

An Act to repeal sections 162.471, 162.481, and 162.491, RSMo, and to enact in lieu thereof four new sections relating to school directors for urban school districts, with an emergency clause.

SB 474—By Wallingford.

An Act to repeal section 227.297, RSMo, and to enact in lieu thereof one new section relating to the heroes way designation program.

SB 475—By Dempsey.

An Act to repeal section 105.716, RSMo, and to enact in lieu thereof two new sections relating to the intervention of the general assembly in certain civil actions.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following

appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Christina M. Ferguson, as a member of the State Board of Pharmacy;

Also,

Thomas Rodenberg, Democrat, as a member of the Missouri Public Entity Risk Management Fund Board of Trustees;

Also,

James H. Chapman III, Democrat, as a member of the Elevator Safety Board;

Also,

Christie L. Rodriguez, as a member of the Board of Cosmetology and Barber Examiners;

Also,

Ve'Shawn Dixon, as the student representative of the Northwest Missouri State University Board of Regents; and

Leland M. Shurin, Democrat, as a member of the Missouri Gaming Commission.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

THIRD READING OF SENATE BILLS

SB 104, introduced by Senator Kraus, entitled:

An Act to repeal section 116.190, RSMo, and to enact in lieu thereof one new section relating to actions challenging initiatives and referendums.

Was taken up.

On motion of Senator Kraus, **SB 104** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Keaveny	Kehoe
Kraus	Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford
Wasson	Wieland—26						

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	LeVota	Nasheed	Schupp	Sifton	Walsh—8
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Pearce moved that **SB 1, SB 22, SB 49** and **SB 70**, with **SCS, SA 1** and **SSA 1** for **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SSA 1 for **SA 1**, as amended, was again taken up.

Senator Onder moved that the above substitute amendment be adopted, which motion failed on a standing division vote.

Senator Schmitt assumed the Chair.

President Kinder assumed the Chair.

Senator Dempsey offered **SSA 2** for **SA 1**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 2 FOR SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 43, Section 162.1250, Lines 58-59, by striking said lines and inserting in lieu thereof the following: “**student enrolled in an unaccredited district or provisionally accredited district is eligible to enroll in a**”.

Senator Dempsey moved that the above substitute amendment be adopted.

Senator Chappelle-Nadal offered **SA 1** to **SSA 2** for **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO SENATE SUBSTITUTE AMENDMENT NO. 2 FOR SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 2 for Senate Amendment No. 1 to Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 1, Line 4, by inserting immediately after the word “district” the following: “**or any district that has a three-year average annual performance report score consistent with a state board of education classification of provisionally accredited or unaccredited**”.

Senator Kehoe assumed the Chair.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Dempsey moved that **SSA 2** for **SA 1**, as amended, be adopted, which motion prevailed.

President Kinder assumed the Chair.

Senator Schmitt offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 58, Section 167.826,

Line 63, by inserting immediately after the word “students” the following: **“except that a charter school for which the department of elementary and secondary education has not generated an annual performance report because the charter school has not been in operation for three school years may receive transfer students. When the department generates an annual performance report for such a charter school, if the score is less than seventy, any students who previously transferred to the charter school may remain enrolled in the charter school but no additional students may transfer to the charter school.”**.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Romine offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 83, Section 1, Line 1, by striking the words “each school district” and inserting in lieu thereof the following: **“each metropolitan school district, urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county, and each district located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants”**.

Senator Romine moved that the above amendment be adopted.

Senator Schmitt assumed the Chair.

Senator Sifton offered SA 1 to SA 3:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 1, Line 3 of said amendment by inserting after the word “district” the following: **“at any time it is underperforming”**; and further amend line 6 by inserting after the first use of the word “county” the following: **“at any time it is underperforming”**; and further amend line 8 by inserting after the word “inhabitants” the following: **“at any time it is underperforming”**; and

Further amend said bill and section, page 84, line 36 by inserting after all of said line the following:

(5) “Underperforming”, a school district that has been classified as unaccredited or provisionally accredited by the state board of education or has a three-year average annual performance report score consistent with a state board of education classification of provisionally accredited or unaccredited.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Romine moved that SA 3, as amended, be adopted, which motion prevailed.

Senator Schaaf offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 34, Section 160.425, Line 78, by inserting after all of said line the following:

“160.671. 1. A school board member of any urban school district located in a home rule city with

more than seventy-one thousand but fewer than seventy-nine thousand inhabitants may be removed by the voters in a recall election. Such election shall be held upon the submission of a petition signed by voters of the district equal in number to at least ten percent of the number of persons voting at the last preceding election to elect a district board member. The petition shall be filed with the election authority and the secretary of the district board of education, and the petition shall contain a general statement of the grounds for which the removal is sought. The signatures to the petition need not all be appended to one paper, but each signer shall provide the street and number of his or her residence. The person who files the petition with the election authority shall sign an affidavit that the signatures attached are true and correct to the best of his or her knowledge.

2. Within thirty days from the date of filing the petition, the election authority shall examine and ascertain whether the petition is signed by the requisite number of voters. The election authority shall attach to the petition his or her certificate, showing the result of the examination. If the election authority finds the petition to be insufficient, the petition shall be returned to the person filing the petition, without prejudice to the filing of a new petition to the same effect. If the petition shall be deemed to be sufficient, the election authority shall submit the petition to the district board without delay. If the petition shall be found to be sufficient, the district board shall order the question to be submitted to the voters of the district on election days specified in section 115.123. The election shall be held not less than forty-five days but not more than one hundred twenty days from the date the board receives the petition.

3. If a majority of the voters vote in favor of retaining the member, the member shall remain in office and shall not be subject to another recall election during his or her term of office. If a majority of voters vote to remove the member, his or her successor shall be chosen as provided in section 162.471 for urban school districts.”; and

Further amend said bill, Page 42, Section 162.081, Line 148, by inserting after all of said line the following:

“162.471. **1.** The government and control of an urban school district is vested in a board of seven directors. Each director shall be a voter of the district who has resided within this state for one year next preceding his election or appointment and who is at least twenty-four years of age. All directors, except as otherwise provided in section 162.481 and section 162.492, hold their offices for six years and until their successors are duly elected and qualified. All vacancies occurring in the board, except as provided in section 162.492 **and in subsection 2 of this section**, shall be filled by appointment by the board as soon as practicable, and the person appointed shall hold his office until the next school board election, when his successor shall be elected for the remainder of the unexpired term. The power of the board to perform any official duty during the existence of a vacancy continues unimpaired thereby.

2. All vacancies occurring in the school board of any urban school district located in a home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants shall be filled by appointment of the county commission of a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat. The person appointed by the county commission shall hold office until the next school board election, when his or her successor shall be elected for the remainder of the unexpired term.

162.481. **1.** Except as otherwise provided in this section, all elections of school directors in urban

districts shall be held biennially at the same times and places as municipal elections.

2. In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3. Except as otherwise provided in subsections 4 and 5 of this section, hereafter when a seven-director district becomes an urban district, the directors of the prior seven-director district shall continue as directors of the urban district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

4. In any school district in any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any school district which becomes an urban school district by reason of the 2000 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

5. In any school district in any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants which becomes an urban school district by reason of the 2010 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after April 2, 2012.

6. In any urban school district in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, elections shall be held annually at the same times and places as general municipal elections for all years where

one or more terms expire, and upon expiration of any term after August 28, 2015, the term of office shall be for three years and until their successors are duly elected and qualified.

162.491. 1. Directors for urban school districts, other than those districts containing the greater part of a city of over one hundred thirty thousand inhabitants, may be nominated by petition to be filed with the secretary of the board and signed by a number of voters in the district equal to ten percent of the total number of votes cast for the director receiving the highest number of votes cast at the next preceding biennial election, **except as provided in subsection 4 of this section.**

2. This section shall not be construed as providing the sole method of nominating candidates for the office of school director in urban districts which do not contain the greater part of a city of over three hundred thousand inhabitants.

3. A director for any urban school district containing a city of greater than one hundred thirty thousand inhabitants and less than three hundred thousand inhabitants may be nominated as an independent candidate by filing with the secretary of the board a petition signed by five hundred registered voters of such school district.

4. In any urban school district located in a home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants, a candidate for director shall file a declaration of candidacy with the secretary of the board and shall not be required to submit a petition.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator Chappelle-Nadal raised the point of order that **SA 4** is out of order in that it goes beyond the scope of the bill.

The point of order was referred to the President Pro Tem.

At the request of Senator Pearce, **SB 1, SB 22, SB 49** and **SB 70**, with **SCS, SA 4** and point of order (pending), were placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 64**, entitled:

An Act to repeal section 408.140, RSMo, and to enact in lieu thereof one new section relating to open-end credit fees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 1**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article VIII of the Constitution of Missouri, and adopting one new section relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 524**, entitled:

An Act to repeal sections 301.640 and 306.420 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 301.640 as enacted by senate bill no. 82, ninety-fourth general assembly, first regular session, and 306.420 as enacted by house bill no. 2008 merged with senate bill no. 895, ninety-first general assembly, second regular session, and 700.370, RSMo, and to enact in lieu thereof four new sections relating to the electronic transmission of motor vehicle lien documents.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 615**, entitled:

An Act to repeal sections 287.040, 287.090, 287.140, 287.957, and 287.975, RSMo, and to enact in lieu thereof six new sections relating to workers' compensation, with an existing penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **HB 63**, entitled:

An Act to amend chapter 115, RSMo, by adding thereto one new section relating to primary elections, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 110**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 116**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 113**, begs leave to report that

it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 148**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 122**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 142**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 330**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 131**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 20**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Senator Kehoe assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 332—Agriculture, Food Production and Outdoor Resources.

SB 333—Judiciary and Civil and Criminal Jurisprudence.

SB 334—Education.

SB 335—Small Business, Insurance and Industry.

SB 336—Ways and Means.

SB 337—Rules, Joint Rules, Resolutions and Ethics.

SB 338—Financial and Governmental Organizations and Elections.

SB 339—Jobs, Economic Development and Local Government.

SB 340—Judiciary and Civil and Criminal Jurisprudence.

SB 341—Seniors, Families and Children.

SB 342—Veterans' Affairs and Health.

SB 343—Ways and Means.

SB 344—Transportation, Infrastructure and Public Safety.

SB 345—Financial and Governmental Organizations and Elections.

SB 346—Small Business, Insurance and Industry.

SB 347—Governmental Accountability and Fiscal Oversight.

SB 348—Appropriations.

SB 349—Transportation, Infrastructure and Public Safety.

SB 350—Ways and Means.

SB 351—Commerce, Consumer Protection, Energy and the Environment.

SB 352—Judiciary and Civil and Criminal Jurisprudence.

SB 353—Ways and Means.

SB 354—Small Business, Insurance and Industry.

SB 355—Transportation, Infrastructure and Public Safety.

SB 356—Transportation, Infrastructure and Public Safety.

SB 357—Transportation, Infrastructure and Public Safety.

SB 358—Commerce, Consumer Protection, Energy and the Environment.

SB 359—Commerce, Consumer Protection, Energy and the Environment.

SB 360—Progress and Development.

REFERRALS

President Pro Tem Dempsey referred **HCR 21** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

RE-REFERRALS

President Pro Tem Dempsey re-referred **SB 319** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, February 23, 2015.

SENATE CALENDAR

TWENTY-FIFTH DAY--MONDAY, FEBRUARY 23, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 361-Parson	SB 391-Curls
SB 362-Parson	SB 392-Wieland
SB 363-Parson	SB 393-Schupp
SB 364-Parson	SB 394-Wallingford
SB 365-Schmitt	SB 395-Holsman
SB 366-Schmitt	SB 396-Holsman
SB 367-Kraus	SB 397-Silvey
SB 368-Pearce	SB 398-Schatz
SB 369-Pearce	SB 399-Onder
SB 370-Munzlinger	SB 400-Onder
SB 371-Munzlinger	SB 401-Schmitt and Richard
SB 372-Keaveny	SB 402-Wieland
SB 373-Libla	SB 403-Kehoe
SB 374-Schatz	SB 404-Kehoe
SB 375-Schatz	SB 405-Hegeman
SB 376-Schatz	SB 406-Munzlinger
SB 377-Schatz	SB 407-Onder
SB 378-Schatz	SB 408-Libla
SB 379-Schatz	SB 409-Wallingford
SB 380-Wieland	SB 410-Wallingford
SB 381-Dixon	SB 411-Brown
SB 382-Dixon	SB 412-Romine
SB 383-Wallingford	SB 413-Romine
SB 384-Munzlinger	SB 414-Wasson
SB 385-Keaveny	SB 415-Wasson
SB 386-Keaveny	SB 416-Wasson
SB 387-Wasson	SB 417-Chappelle-Nadal
SB 388-Wasson	SB 418-Chappelle-Nadal
SB 389-Silvey and Walsh	SB 419-Silvey
SB 390-Curls	SB 420-Schmitt

SB 421-Dixon	SB 450-Emery
SB 422-Schaaf	SB 451-Dixon
SB 423-Brown	SB 452-Schmitt, et al
SB 424-Pearce	SB 453-LeVota
SB 425-Libla	SB 454-LeVota
SB 426-Parson	SB 455-Kehoe
SB 427-Sifton	SB 456-Kehoe
SB 428-Curls	SB 457-Sater
SB 429-Schaaf	SB 458-Sater
SB 430-Curls	SB 459-Libla
SB 431-Onder	SB 460-Silvey
SB 432-Onder	SB 461-Wieland
SB 433-Dixon and Dempsey	SB 462-Schaefer
SB 434-Schmitt	SB 463-Dixon
SB 435-Walsh	SB 464-Dixon
SB 436-Walsh	SB 465-Schmitt
SB 437-Walsh	SB 466-Schmitt
SB 438-Dempsey	SB 467-Sifton
SB 439-LeVota	SB 468-Sifton
SB 440-Sifton, et al	SB 469-Munzlinger
SB 441-Schaefer	SB 470-Parson
SB 442-Schaefer	SB 471-Schaaf
SB 443-Schatz	SB 472-Schaaf
SB 444-Schaaf	SB 473-Schaaf
SB 445-Romine	SB 474-Wallingford
SB 446-Schupp and Brown	SB 475-Dempsey
SB 447-Wieland	SJR 13-Schaaf
SB 448-Wieland	SJR 14-Dixon
SB 449-Kraus	

HOUSE BILLS ON SECOND READING

HCS for HB 259	HJR 1-Dugger
HB 150-Fitzpatrick	HB 524-Dugger
HB 241-Davis	HB 615-Dohrman
HCS for HBs 116 & 569	HCS#2 for HB 63
HB 64-Dugger	

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 24-Sater
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 19-Kraus, with SCS
SB 115-Kraus, with SCS
SB 174-Schmitt and Chappelle-Nadal,
with SCS
SB 82-Chappelle-Nadal

SB 110-Schaefer
SB 122-Walsh, with SCS
SB 142-Romine, with SCS
SB 330-Parson
SB 131-Parson, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SBs 1, 22, 49 & 70-Pearce, with SCS, SA 4 &
point of order (pending)

SB 205-Parson

CONSENT CALENDAR

Senate Bills

Reported 2/12

SB 68-Romine

Reported 2/19

SB 116-Kraus
SB 113-Dixon

SB 148-Parson

RESOLUTIONS

Reported from Committee

HCR 20-Lynch

To be Referred

SCR 24-Holsman
SCR 25-Munzlinger

SCR 26-Dempsey

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-FIFTH DAY—MONDAY, FEBRUARY 23, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“You who live in the shelter of the Most High, who abide in the shadow of the Almighty, will say to the Lord, “my refuge and my fortress, my God in whom I trust.” (Psalm 91:1-2)

Almighty God, we thank You that we can find refuge and strength in You. Protect us from every temptation about us that we might live every day in the shadow of Your peace and grace. And, fill us with the full light of Your presence that we may receive and entertain You in adoration and praise. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 19, 2015 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

Absent—Senators—None

Absent with leave—Senator Schaefer—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 426, regarding Mackenzie Meyers, Lake Saint Charles, which was adopted.

Senator Onder offered Senate Resolution No. 427, regarding Scott Lyon, Saint Charles, which was adopted.

Senator Onder offered Senate Resolution No. 428, regarding Aiza Bustos, Saint Charles, which was adopted.

Senator Onder offered Senate Resolution No. 429, regarding Andrew Powell, Wentzville, which was adopted.

Senator Onder offered Senate Resolution No. 430, regarding Anthony Buchholz, Saint Charles, which was adopted.

Senator Onder offered Senate Resolution No. 431, regarding Aishwarya Mogulothu, O'Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 432, regarding Grace Arias, Lake Saint Louis, which was adopted.

Senator Onder offered Senate Resolution No. 433, regarding Kate Adams, Saint Peters, which was adopted.

Senator Onder offered Senate Resolution No. 434, regarding Christopher C. Smith, Saint Peters, which was adopted.

Senator Onder offered Senate Resolution No. 435, regarding Gary Rudolph, O'Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 436, regarding Exander Turnbull, Saint Peters, which was adopted.

Senator Onder offered Senate Resolution No. 437, regarding Lawrence Thompson, Saint Charles, which was adopted.

Senator Onder offered Senate Resolution No. 438, regarding Alexandria "Alex" Ostrander, Saint Peters, which was adopted.

Senator Onder offered Senate Resolution No. 439, regarding Brian Engel, O'Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 440, regarding Sara Lively, Saint Charles, which was adopted.

Senator Onder offered Senate Resolution No. 441, regarding Saivaroon Gajagowni, O'Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 442, regarding Nicholas Fields, O'Fallon, which was adopted.

Senator Libla offered Senate Resolution No. 443, regarding Joey McLane, Poplar Bluff, which was adopted.

Senator Silvey offered Senate Resolution No. 444, regarding the Fourth Grade class at EPiC Elementary

School, Liberty, which was adopted.

Senator Silvey offered Senate Resolution No. 445, regarding Haley Ferguson, which was adopted.

Senator Hegeman offered Senate Resolution No. 446, regarding Nicole Riegel, Excelsior Springs, which was adopted.

Senator Hegeman offered Senate Resolution No. 447, regarding Sherri Peters, Holt, which was adopted.

Senator Sifton offered Senate Resolution No. 448, regarding Joseph Anthony Hegger, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 449, regarding Charles August Bonte, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 450, regarding James E. Lubbock, Saint Louis, which was adopted.

On behalf of Senator Schaefer, Senator Richard offered Senate Resolution No. 451, regarding the University of Missouri Tigers Football, which was adopted.

Senator Romine offered Senate Resolution No. 452, regarding Eugene Wigger, Bismark, which was adopted.

Senator Sifton offered Senate Resolution No. 453, regarding Alex Menke, Webster Groves, which was adopted.

Senator Wasson offered Senate Resolution No. 454, regarding Savannah Hall, Ozark, which was adopted.

Senator Cunningham offered Senate Resolution No. 455, regarding Jared Cates, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 476—By Kehoe.

An Act to repeal sections 259.010, 259.020, 259.030, 259.050, 259.070, 259.080, 259.100, 259.190, and 259.210, RSMo, and to enact in lieu thereof ten new sections relating to the department of natural resources.

SB 477—By Wallingford.

An Act to repeal section 429.005, RSMo, and to enact in lieu thereof one new section relating to waiver of liens against real estate.

SB 478—By Onder.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to direct health care services.

SB 479—By Onder.

An Act to repeal sections 334.260 and 376.1753, RSMo, and to enact in lieu thereof three new sections relating to the licensure of midwives.

SB 480—By Onder.

An Act to amend chapter 144.058, RSMo, by adding thereto one new section relating to a sales tax exemption for electricity.

SB 481—By Onder.

An Act to repeal section 456.950, RSMo, and to enact in lieu thereof two new sections relating to qualified spousal trusts.

SB 482—By Schupp.

An Act to repeal sections 210.211 and 210.245, RSMo, and to enact in lieu thereof three new sections relating to child care facilities, with existing penalty provisions.

SB 483—By Silvey.

An Act to repeal section 306.220, RSMo, and to enact in lieu thereof one new section relating to personal flotation devices, with an existing penalty provision.

SB 484—By Wieland.

An Act to repeal section 143.141, RSMo, and to enact in lieu thereof one new section relating to search and rescue.

SB 485—By Wieland.

An Act to repeal sections 383.015, 383.016, 383.035, 383.037, and 383.206, RSMo, and to enact in lieu thereof seven new sections relating to malpractice insurance.

SB 486—By Sifton.

An Act to repeal section 115.155, RSMo, section 115.631 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and section 115.631 as enacted by senate bills no. 1014 & 730, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to election offenses, with penalty provisions.

SB 487—By Richard.

An Act to repeal sections 407.025 and 537.762, RSMo, and to enact in lieu thereof four new sections relating to civil actions.

SB 488—By Cunningham.

An Act to repeal section 443.719, RSMo, and to enact in lieu thereof one new section relating to mortgage loan originators.

SB 489—By Cunningham.

An Act to repeal section 407.025, RSMo, and to enact in lieu thereof one new section relating to exemptions for certain entities from civil actions brought under unlawful merchandising practices provisions of law.

SB 490—By LeVota.

An Act to amend chapter 208, RSMo, by adding thereto two new sections relating to MO HealthNet reimbursement for critical access medication management.

SJR 15—By Cunningham.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 3 of article XIII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the Missouri Citizens' Commission on Compensation for Elected Officials.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 23, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Robert Hartnett as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, submitted to you on February 11, 2015. Line 1 should be amended to read:

Robert Hartnett, 508 Southeast Adobe Drive, Lee's Summit, Jackson County, Missouri

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 23, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Jade D. James as a member of the State Board of Registration for the Healing Arts, submitted to you on February 11, 2015. Lines 1 and 2 should be amended to read:

Jade D. James, Democrat, 13008 Kinsley Heights Drive, Florissant, Saint Louis County, Missouri 63033, as a member of the State Board of Registration for the Healing Arts,

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above addendums to the Committee on Gubernatorial Appointments.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 30**, entitled:

An Act to repeal sections 115.427 and 115.430, RSMo, and to enact in lieu thereof two new sections relating to elections, with a contingent effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS No. 2** for **SCS** for **SB 24**, begs leave to report that it has considered the same and recommends that the bill do pass.

THIRD READING OF SENATE BILLS

SS No. 2 for **SCS** for **SB 24**, introduced by Senator Sater, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 24

An Act to repeal section 208.040, RSMo, and to enact in lieu thereof three new sections relating to nonmedical public assistance.

Was taken up.

On motion of Senator Sater, **SS No. 2** for **SCS** for **SB 24** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Holsman	Kehoe
Kraus	Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schatz	Schmitt	Silvey	Wallingford	Wasson

Wieland—25

NAYS—Senators

Chappelle-Nadal	Curls	Keaveny	LeVota	Nasheed	Schupp	Sifton	Walsh—8
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Absent—Senators—None

Absent with leave—Senator Schaefer—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Parson moved that **SB 205** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Munzlinger offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Bill No. 205, Page 24, Section 382.277, Line 7, by inserting after all of said line the following:

“382.278. The provisions of subdivisions (13) and (14) of subsection 1 of section 382.050, subdivision (5) of subsection 1 of section 382.110, and sections 382.175 and 382.220 shall not apply to an insurance holding company or its affiliates if the insurance company affiliates of such insurance holding company had total premiums, direct and ceded, of less than one hundred fifty million dollars in the preceding year and such insurance holding company certifies in writing to the director that more than twenty-five percent of the employees of its affiliates, not including insurance affiliates or the holding company itself, are engaged in agricultural operations.”; and

Further amend the title and enacting clause accordingly.

Senator Pearce assumed the Chair.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Parson, **SB 205**, as amended, was declared perfected and ordered printed.

Senator Kehoe assumed the Chair.

Senator Pearce moved that **SB 1, SB 22, SB 49** and **SB 70**, with **SCS, SA 4** and point of order (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

President Pro Tem Dempsey ruled the pending point of order not well taken.

At the request of Senator Schaaf, **SA 4** was withdrawn.

Senator Schaaf offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 34, Section 160.425, Line 78, by inserting after all of said line the following:

“160.671. 1. A school board member of any urban school district located in a home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants may be removed by the voters in a recall election. Proceedings may be commenced for the recall of any such member by the filing of a notice of intention to circulate a recall petition under this section.

2. The notice of intention to circulate a recall petition shall be served personally, or by certified mail, on the board member sought to be recalled. A copy thereof shall be filed, along with an affidavit of the time and manner of service, with the election authority, as defined in chapter 115. A separate notice shall be filed for each board member sought to be recalled and shall contain all of the following:

(1) The name of the board member sought to be recalled;

(2) A statement, not exceeding two hundred words in length, of the reasons for the proposed recall; and

(3) The names and business or residential addresses of at least one but not more than five proponents of the recall.

3. Within seven days after the filing of the notice of intention, the board member may file with the election authority a statement, not exceeding two hundred words in length, including an answer to the statement of the proponents. If an answer is filed, the board member shall also serve a copy of it, personally or by certified mail, on one of the proponents named in the notice of intention. The statement and answer are intended solely to be used for the information of the voters. No insufficiency in form or substance of such statements shall affect the validity of the election proceedings.

4. Before any signature may be affixed to a recall petition, the petition is required to bear all of the following:

(1) A request that an election be called to elect a successor to the board member;

(2) A copy of the notice of intention, including a general statement of the grounds for which removal is sought;

(3) The answer of the board member sought to be recalled, if any exists. If the board member has not answered, the petition shall so state; and

(4) A place for each signer to affix his or her signature, printed name, and residential address, including any address in a city, town, village, or unincorporated community.

5. Each section of the petition, when submitted to the election authority, shall have attached to it an affidavit signed by the person circulating such section of the petition, setting forth all of the following:

(1) The printed name of the affiant;

(2) The residential address of the affiant;

(3) That the affiant circulated that section of the petition and saw the appended signatures be written;

(4) That according to the best information and belief of the affiant, each signature is the genuine signature of the person whose name it purports to be;

(5) That the affiant is a registered voter in the school district; and

(6) The dates between which all of the signatures to the petition were obtained.

6. A recall petition shall be filed with the election authority and secretary of the school board not more than one hundred eighty days after the filing of the notice of intention.

7. The qualified signatures of three hundred registered voters shall be required for the submission of a petition.

8. Within thirty days after the date of filing the petition, the election authority shall examine and ascertain whether the petition is signed by the requisite number of voters. The election authority shall file with the petition a certificate showing the results of the examination. The election authority shall give the proponents a copy of the certificate upon their request.

9. If the election authority certifies the petition to be insufficient, it may be supplemented within ten days of the date of certification by filing additional petition sections containing all of the information required by this section. Within ten days after the supplemental copies are filed, the election authority shall file with them a certificate stating whether or not the petition as supplemented is sufficient.

10. If the election authority finds the signatures on the petition, together with the supplementary petition sections, if any, to be sufficient, it shall submit its certificate as to the sufficiency of the petition to the school board prior to its next meeting. The certificate shall contain the following:

- (1) The name of the member whose recall is sought;**
- (2) The number of signatures required by law;**
- (3) The total number of signatures on the petition; and**
- (4) The number of valid signatures on the petition.**

11. Following the school board's receipt of the certificate, the election authority shall order an election to be held on the next election day as specified in section 115.123. The election shall be held not less than forty-five days but not more than one hundred twenty days from the date the school board receives the petition.

12. At any time prior to forty-two days before the election, the member sought to be recalled may offer his or her resignation. If his or her resignation is offered, the recall question shall be removed from the ballot and the office declared vacant. At such time, the vacancy shall be filled as provided in section 162.471, except that the member who resigned shall not fill the vacancy.

13. If a majority of the voters vote in favor of retaining the member, the member shall remain in office and shall not be subject to another recall election during his or her term of office. If a majority of voters vote to remove the member, his or her successor shall be chosen as provided in section 162.471.”; and

Further amend said bill, Page 42, Section 162.081, Line 148, by inserting after all of said line the following:

“162.471. 1. The government and control of an urban school district is vested in a board of seven directors. Each director shall be a voter of the district who has resided within this state for one year next preceding his election or appointment and who is at least twenty-four years of age. All directors, except as otherwise provided in section 162.481 and section 162.492, hold their offices for six years and until their successors are duly elected and qualified. All vacancies occurring in the board, except as provided in section 162.492 and in subsection 2 of this section, shall be filled by appointment by the board as soon as practicable, and the person appointed shall hold his office until the next school board election, when his successor shall be elected for the remainder of the unexpired term. The power of the board to perform any official duty during the existence of a vacancy continues unimpaired thereby.

2. All vacancies occurring in the school board of any urban school district located in a home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants shall be filled by appointment of the county commission of a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat.

If the vacancy occurred because of a recall under section 160.671, the member who was recalled shall not fill the vacancy. The person appointed by the county commission shall hold office until the next school board election, when his or her successor shall be elected for the remainder of the unexpired term.

162.481. 1. Except as otherwise provided in this section, all elections of school directors in urban districts shall be held biennially at the same times and places as municipal elections.

2. In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3. Except as otherwise provided in subsections 4 and 5 of this section, hereafter when a seven-director district becomes an urban district, the directors of the prior seven-director district shall continue as directors of the urban district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

4. In any school district in any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any school district which becomes an urban school district by reason of the 2000 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

5. In any school district in any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants which becomes an urban school district by reason of the 2010 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and

after April 2, 2012.

6. In any urban school district in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and upon expiration of any term after August 28, 2015, the term of office shall be for three years and until their successors are duly elected and qualified.

162.491. 1. Directors for urban school districts, other than those districts containing the greater part of a city of over one hundred thirty thousand inhabitants, may be nominated by petition to be filed with the secretary of the board and signed by a number of voters in the district equal to ten percent of the total number of votes cast for the director receiving the highest number of votes cast at the next preceding biennial election, **except as provided in subsection 4 of this section.**

2. This section shall not be construed as providing the sole method of nominating candidates for the office of school director in urban districts which do not contain the greater part of a city of over three hundred thousand inhabitants.

3. A director for any urban school district containing a city of greater than one hundred thirty thousand inhabitants and less than three hundred thousand inhabitants may be nominated as an independent candidate by filing with the secretary of the board a petition signed by five hundred registered voters of such school district.

4. In any urban school district located in a home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants, a candidate for director shall file a declaration of candidacy with the secretary of the board and shall not be required to submit a petition.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 83, Section 210.861, Line 103, by inserting immediately after “(6)” the following: **“The provisions of this subsection shall become effective only upon approval by the voters of the county. At the next election after the effective date of this section, the county election authority shall submit to the voters of the county a proposal to authorize the use of funds under this subsection.**

(7)”.

Senator Walsh moved that the above amendment be adopted.

Senator Chappelle-Nadal requested a roll call vote be taken. She was joined in her request by Senators Keaveny, LeVota, Curls and Onder.

SA 6 failed of adoption by the following vote:

YEAS—Senators

Cunningham	Dempsey	Holsman	Keaveny	Kehoe	Munzlinger	Richard	Riddle
Schupp	Sifton	Silvey	Walsh	Wieland—13			

NAYS—Senators

Brown	Chappelle-Nadal	Dixon	Emery	Hegeman	Kraus	LeVota	Libla
Onder	Pearce	Romine	Sater	Schaaf	Schatz	Schmitt	Wallingford

Wasson—17

Absent—Senators

Curls	Nasheed	Parson—3
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Absent with leave—Senator Schaefer—1

Vacancies—None

Senator LeVota offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 37, Section 161.1000, Line 10, by striking the second use of the word “and”; and further amend line 12, by inserting immediately after the word “students” the following:

“;

- (5) Options for comprehensive school quality indicators leading to student success;**
- (6) Options for school quality review models based on successful review models currently in use;**
- (7) Options for locally-created assessment and accountability systems; and**
- (8) Best practices in parent and community engagement”.**

Senator LeVota moved that the above amendment be adopted, which motion prevailed.

Senator Holsman offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 83, Section 1, Lines 4-6, by striking all of said lines and inserting in lieu thereof the following: **“of each such building.”**; and further amend line 9 by inserting after all of said line the following:

“3. Between October 1, 2015, and March 1, 2016, each district shall provide multiple opportunities for potential purchasers to tour the buildings. At such time, each potential purchaser may develop its own cost estimates, at the expense of the potential purchaser, for a building to be refurbished and brought into compliance with any required health, safety, or occupancy code. Each district shall provide public notice of the opportunities for potential purchasers to tour the buildings.”; and further amend said section by renumbering the remaining subsections accordingly; and further amend line 12 by striking “twenty-five” and inserting in lieu thereof the following: **“fifty”**; and

Further amend said bill and section, page 84, lines 27-28, by striking said lines and inserting in lieu thereof the following: **“(1) Certified public bidder”, any public entity designated by the school board of the district that has created and submitted to the school board a land use plan for such a building;**”; and further amend line 30, by inserting immediately after the word “auction” the following: **“with a**

minimum starting price"; and further amend line 33, by inserting immediately after the word "auction" the following: **"with a minimum starting price"**; and further amend line 36 by inserting after all of said line the following:

"7. Any building that has remained in the level three pool for longer than six months may be demolished using funds from the reclamation and demolition fund. Subject to appropriations, a school district may receive an amount equal to twenty-five percent of the appraised value of the building to be demolished from the reclamation and demolition fund. There is hereby created in the state treasury the "The Reclamation and Demolition Fund", which shall consist of any moneys that the general assembly may appropriate to the fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely by the office of administration for the purposes of carrying out the provisions of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."

Senator Holsman moved that the above amendment be adopted.

Senator Onder offered **SA 1** to **SA 8**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 8

Amend Senate Amendment No. 8 to Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 1, Line 16, by striking the word "fifty" and inserting in lieu thereof the word **"thirty"**.

Senator Onder moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Emery offered **SA 2** to **SA 8**:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 8

Amend Senate Amendment No. 8 to Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 1, Line 17, by striking "lines 27-28" and inserting in lieu thereof the word "line 28"; and further amend lines 18-21 of said amendment by striking said lines and inserting in lieu thereof the following: **"by inserting immediately after the word "subdivision" the following: "that has created and submitted to the school board a land use plan for such a building";"** and further amend said amendment, page 2, line 1 by striking "building;";".

Senator Emery moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Pearce, **SB 1**, **SB 22**, **SB 49** and **SB 70**, with **SCS** and **SA 8**, as amended (pending), were placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 92**, entitled:

An Act to repeal sections 260.500 and 644.016, RSMo, and to enact in lieu thereof two new sections relating to the definition of waters of the state.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 125**, entitled:

An Act to repeal section 349.045, RSMo, and to enact in lieu thereof one new section relating to industrial development corporation directors.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 185**, entitled:

An Act to repeal section 110.010, RSMo, and to enact in lieu thereof one new section relating to security of ambulance district funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Dempsey referred **SCR 24**, **SCR 25** and **SCR 26** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following reports:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 276**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 277**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Kehoe assumed the Chair.

INTRODUCTIONS OF GUESTS

On behalf of Senator Pearce, the President introduced to the Senate William Gray, Jr, Higginsville;

Violet Corbett, Johnson County; and Kyle Durham, Carroll County.

Senator Brown introduced to the Senate, his wife, Kathy, their son, Justin and their grandson, Brody, Rolla.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-SIXTH DAY—TUESDAY, FEBRUARY 24, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 361-Parson	SB 385-Keaveny
SB 362-Parson	SB 386-Keaveny
SB 363-Parson	SB 387-Wasson
SB 364-Parson	SB 388-Wasson
SB 365-Schmitt	SB 389-Silvey and Walsh
SB 366-Schmitt	SB 390-Curls
SB 367-Kraus	SB 391-Curls
SB 368-Pearce	SB 392-Wieland
SB 369-Pearce	SB 393-Schupp
SB 370-Munzlinger	SB 394-Wallingford
SB 371-Munzlinger	SB 395-Holsman
SB 372-Keaveny	SB 396-Holsman
SB 373-Libla	SB 397-Silvey
SB 374-Schatz	SB 398-Schatz
SB 375-Schatz	SB 399-Onder
SB 376-Schatz	SB 400-Onder
SB 377-Schatz	SB 401-Schmitt and Richard
SB 378-Schatz	SB 402-Wieland
SB 379-Schatz	SB 403-Kehoe
SB 380-Wieland	SB 404-Kehoe
SB 381-Dixon	SB 405-Hegeman
SB 382-Dixon	SB 406-Munzlinger
SB 383-Wallingford	SB 407-Onder
SB 384-Munzlinger	SB 408-Libla

SB 409-Wallingford	SB 449-Kraus
SB 410-Wallingford	SB 450-Emery
SB 411-Brown	SB 451-Dixon
SB 412-Romine	SB 452-Schmitt, et al
SB 413-Romine	SB 453-LeVota
SB 414-Wasson	SB 454-LeVota
SB 415-Wasson	SB 455-Kehoe
SB 416-Wasson	SB 456-Kehoe
SB 417-Chappelle-Nadal	SB 457-Sater
SB 418-Chappelle-Nadal	SB 458-Sater
SB 419-Silvey	SB 459-Libla
SB 420-Schmitt	SB 460-Silvey
SB 421-Dixon	SB 461-Wieland
SB 422-Schaaf	SB 462-Schaefer
SB 423-Brown	SB 463-Dixon
SB 424-Pearce	SB 464-Dixon
SB 425-Libla	SB 465-Schmitt
SB 426-Parson	SB 466-Schmitt
SB 427-Sifton	SB 467-Sifton
SB 428-Curls	SB 468-Sifton
SB 429-Schaaf	SB 469-Munzlinger
SB 430-Curls	SB 470-Parson
SB 431-Onder	SB 471-Schaaf
SB 432-Onder	SB 472-Schaaf
SB 433-Dixon and Dempsey	SB 473-Schaaf
SB 434-Schmitt	SB 474-Wallingford
SB 435-Walsh	SB 475-Dempsey
SB 436-Walsh	SB 476-Kehoe
SB 437-Walsh	SB 477-Wallingford
SB 438-Dempsey	SB 478-Onder
SB 439-LeVota	SB 479-Onder
SB 440-Sifton, et al	SB 480-Onder
SB 441-Schaefer	SB 481-Onder
SB 442-Schaefer	SB 482-Schupp
SB 443-Schatz	SB 483-Silvey
SB 444-Schaaf	SB 484-Wieland
SB 445-Romine	SB 485-Wieland
SB 446-Schupp and Brown	SB 486-Sifton
SB 447-Wieland	SB 487-Richard
SB 448-Wieland	SB 488-Cunningham

SB 489-Cunningham
SB 490-LeVota
SJR 13-Schaaf

SJR 14-Dixon
SJR 15-Cunningham

HOUSE BILLS ON SECOND READING

HCS for HB 259
HB 150-Fitzpatrick
HB 241-Davis
HCS for HBs 116 & 569
HB 64-Dugger
HJR 1-Dugger
HB 524-Dugger

HB 615-Dohrman
HCS#2 for HB 63
HB 30-Dugger
HB 92-Miller
HB 125-Black
HB 185-Love

SENATE BILLS FOR PERFECTION

SB 19-Kraus, with SCS
SB 115-Kraus, with SCS
SB 174-Schmitt and Chappelle-Nadal,
with SCS
SB 82-Chappelle-Nadal

SB 110-Schaefer
SB 122-Walsh, with SCS
SB 142-Romine, with SCS
SB 330-Parson
SB 131-Parson, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SBs 1, 22, 49 & 70-Pearce, with SCS &
SA 8 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/12

SB 68-Romine

Reported 2/19

SB 116-Kraus
SB 113-Dixon

SB 148-Parson

Reported 2/23

SB 276-Walsh

SB 277-Walsh

RESOLUTIONS

Reported from Committee

HCR 20-Lynch

✓

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-SIXTH DAY—TUESDAY, FEBRUARY 24, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let the words of my mouth, and the meditation of my heart, be acceptable in Your sight, O Lord, my rock, and my redeemer.” (Psalm 19:14)

How good it is Lord to know that You hear every word and our every prayer. We are thankful that we can call upon You and know that You give us the strength and wisdom to say and do what is acceptable to You, and accomplishes what You require of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Silvey offered Senate Resolution No. 456, regarding Cass Sullivan, Gladstone, which was adopted.

Senator Silvey offered Senate Resolution No. 457, regarding Kim Gasperi, Kansas City, which was adopted.

Senator Schmitt offered Senate Resolution No. 458, regarding Frank Leon Byars, Ballwin, which was adopted.

Senator Schmitt offered Senate Resolution No. 459, regarding John F. Rutter, Ballwin, which was adopted.

Senator Schmitt offered Senate Resolution No. 460, regarding Robert Kenneth McLuen, Ballwin, which was adopted.

Senator Riddle offered Senate Resolution No. 461, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Robert Bland, which was adopted.

CONCURRENT RESOLUTIONS

Senator Onder offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 27

Whereas, in 2010, the United States Congress passed the Patient Protection and Affordable Care Act (ACA), also known as “Obamacare”; and

Whereas, the act was passed under questionable circumstances in which the United States Senate completely revised the language in H.R. 3590, a bill regarding housing tax breaks for service members, and used it as the vehicle for the ACA in order to skirt the technical requirements that a tax bill originate in the House; and

Whereas, four of the United States Supreme Court justices found the ACA to be an unconstitutional expansion of federal power in *National Federation of Independent Business v. Sebelius*; and

Whereas, to even consider *National Federation of Independent Business v. Sebelius*, the United States Supreme Court had to declare that the ACA wasn’t a tax bill, but the five justices who found it to be constitutional justified their opinion based on the taxing powers of the federal government; and

Whereas, the ACA affects as much as 1/6 of the economy and the ability of citizens to participate in a free and open health care market and has caused numerous health insurance companies to leave the market, resulting in a consolidation of health insurance services in fewer providers; and

Whereas, the implementation of the ACA has been fraught with problems; and

Whereas, as of the Spring of 2014, the number of uninsured Americans had decreased less than 5%; and

Whereas, the ACA has caused millions of Americans to lose insurance previously carried by themselves or purchased for them by their employers; and

Whereas, the ACA has imposed upon Americans and the American economy myriad taxes, penalties, and mandates, administered by an expanded and more powerful Internal Revenue Service; and

Whereas, Missouri voters have twice overwhelmingly rejected Obamacare through ballot initiatives, including Proposition C in 2010, which prohibits mandating the purchase of health care related products and services, and through the passage of Proposition E in 2012, which prohibits the Governor and state agencies from implementing a health insurance exchange independent of the General Assembly; and

Whereas, voters in Missouri and across the United States have repeatedly elected officials from both the Republican and Democrat parties based on their promise to fight the Affordable Care Act, and there now are clearly enough members of the United States House and Senate to

pass a bill repealing it; and

Whereas, the Missouri General Assembly agrees with the four United States Supreme Court justices about the unconstitutionality of the ACA, and finds that act to be most injurious of the basic freedoms Missouri citizens deserve; and

Whereas, the People, in Section 2 of Article I of the Missouri Constitution, have declared that the “principal office of government” is to “give security” to their core liberties and that when a legislature fails to secure the People’s liberty “it fails in its chief design”; and

Whereas, each and every member of the Missouri General Assembly has taken an oath to support the Constitutions of the United States and Missouri, and thereby has a personal responsibility to defend the People’s liberty:

Now, Therefore, Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby insist that each member of the Missouri Congressional delegation endeavor and resolve to totally and completely repeal the Affordable Care Act, settling for no less than a full repeal; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of Missouri’s Congressional delegation.

Senator LeVota offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 28

Whereas, twenty-eight million United States citizens have cognitive disabilities such as intellectual disability; severe, persistent mental illness; brain injury; stroke; and neurodegenerative disorders such as Alzheimer’s disease; and

Whereas, people with cognitive disabilities are entitled to inclusion in our democratic society under federal laws such as the Americans with Disabilities Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Individuals with Disabilities Act, Section 504 of the Rehabilitation Act, and under state and local laws; and

Whereas, the disruptive convergence of computing and communication technologies has substantially altered how people acquire, utilize, and disseminate knowledge and information; and

Whereas, access to comprehensible information and usable communication technologies is necessary for all people in our society, particularly for people with cognitive disabilities, to promote self-determination and to engage meaningfully in major aspects of life such as education, health promotion, employment, recreation, and civic participation; and

Whereas, the vast majority of people with cognitive disabilities have limited or no access to comprehensible information and usable communication technologies; and

Whereas, people with cognitive disabilities must have access to commercially available devices and software that incorporate principles of universal design such as flexibility and ease of use for all; and

Whereas, technology and information access by people with cognitive disabilities must be guided by standards and best- practices, such as personalization and compatibility across devices and platforms, and through the application of innovations including automated and predictive technologies; and

Whereas, security and privacy must be assured and managed to protect civil rights and personal dignity of people with cognitive disabilities; and

Whereas, enhanced public and private funding is urgently required to allow people with cognitive disabilities to utilize technology and access information as a natural consequence of their rights to inclusion in our society; and

Whereas, ensuring access to technology and information for the 28 million people with cognitive disabilities in the United States will create new markets and employment opportunities; decrease dependency on public services; reduce health care costs; and improve the independence, productivity, and quality of life of people with cognitive disabilities:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge a commitment to equal rights for people with cognitive disabilities to technology and information access and call for implementation of such rights with deliberate speed.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 491—By Schatz.

An Act to repeal sections 319.045 and 386.572, RSMo, and to enact in lieu thereof two new sections relating to civil penalties for violations of certain safety standards, with penalty provisions.

SB 492—By Schatz.

An Act to repeal section 287.780, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

SB 493—By Brown.

An Act to repeal section 170.310, RSMo, and to enact in lieu thereof one new section relating to cardiopulmonary instruction in schools.

SB 494—By LeVota.

An Act to repeal section 660.026, RSMo, and to enact in lieu thereof one new section relating to funding for federally qualified health centers.

SB 495—By Hegeman.

An Act to repeal section 473.730, RSMo, and to enact in lieu thereof one new section relating to the bonding requirements of public administrators.

SB 496—By Hegeman.

An Act to amend chapter 191, RSMo, by adding thereto three new sections relating to palliative care.

SB 497—By Hegeman.

An Act to repeal sections 67.950 and 67.955, RSMo, and to enact in lieu thereof two new sections relating to dissolution of special districts.

SB 498—By Wasson.

An Act to repeal sections 436.405, 436.430, 436.450, 436.456, 436.457, and 436.460, RSMo, and to enact in lieu thereof six new sections relating to preneed funeral contracts.

SB 499—By Wasson.

An Act to repeal section 327.272, RSMo, and to enact in lieu thereof one new section relating to professional land surveyors.

SB 500—By Riddle.

An Act to repeal section 261.241, RSMo, and to enact in lieu thereof one new section relating to honey.

SB 501—By Riddle.

An Act to amend chapter 478, RSMo, by adding thereto one new section relating to the forty-fifth judicial circuit.

SB 502—By Schmitt.

An Act to repeal section 167.765, RSMo, and to enact in lieu thereof one new section relating to brain injuries or concussions occurring from youth sports.

INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, coaches and players of the 2014 University of Missouri Football team. Coach Gary Pinkel assumed the dias and addressed the members of the Senate.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 205**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Kehoe assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Pearce moved that **SB 1**, **SB 22**, **SB 49** and **SB 70**, with **SCS** and **SA 8**, as amended (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

SA 8 was again taken up.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 9**:

SENATE AMENDMENT NO. 9

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 44, Section 162.1250, Line 75, by striking “state adequacy target” and inserting in lieu thereof the following: “**amount calculated under subsection 3 of section 161.670**”.

Senator Schupp moved that the above amendment be adopted.

Senator Dixon assumed the Chair.

President Pro Tem Dempsey assumed the Chair.

Senator Onder offered **SSA 1** for **SA 9**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 9

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 44, Section 162.1250, Line 75, by striking “state adequacy target” and inserting in lieu thereof the following “**amount calculated under subsection 3 of section 161.670**”; and further amend line 76, by inserting immediately after the word

“choice” the following: “, **unless the virtual school of choice uses a unified and sequential online curriculum, develops an individualized learning plan for all students, provides special education services, administers the statewide assessments to its students, administers end-of-course assessments to its students, is accredited, is hosted by a school district or charter school with an annual performance report score of seventy or greater, and grants a diploma to students, in which case the department of elementary and secondary education shall deduct from the state aid payment made to the district of residence of a virtual transfer student an amount equal to the state adequacy target and credit the same to the virtual school of choice**”.

Senator Onder moved that the above substitute amendment be adopted.

Senator Pearce offered **SA 1 to SSA 1 for SA 9**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 9

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 9 to Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 1, Line 17 of said substitute amendment by inserting immediately after the word “choice” the following: “, **except that a virtual school of choice may choose to charge a rate of tuition less than the state adequacy target**”.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

SSA 1 for SA 9, as amended, was again taken up.

Senator Onder moved that **SSA 1 for SA 9**, as amended, be adopted, which motion prevailed.

Senator Emery offered **SA 10**:

SENATE AMENDMENT NO. 10

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 35, Section 161.238, Line 6, by inserting at the end of said line the following: “**The state board of education shall assign classification designations to attendance centers under this section by July 1, 2016.**”.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Curls offered **SA 11**:

SENATE AMENDMENT NO. 11

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 36, Section 161.238, Line 13, by inserting immediately after the word “district” the following: “**and within a school district**”; and further amend line 14 by inserting immediately after the word “section” the following: “**and section 161.087**”.

Senator Curls moved that the above amendment be adopted, which motion prevailed.

Senator Emery offered **SA 12**:

SENATE AMENDMENT NO. 12

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 43, Section 162.1250, Line 52, by inserting immediately after the word “greater” the following: “**or any district or charter school**”.

that is granted a waiver by the department of elementary and secondary education to host a virtual school of choice”.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 13**:

SENATE AMENDMENT NO. 13

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 52, Section 167.642, by striking all of said section from the bill; and

Further amend said bill, Page 54, Section 167.730, Line 1, by inserting immediately after the word “in” the following: **“any underperforming district located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, in”**; and further amend line 14, by inserting immediately after the first use of the word “in” the following: **“any underperforming district located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, in”**; and further amend line 28, by inserting immediately after the first use of the word “in” the following: **“any underperforming district located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants,”**; and

Further amend said bill and section, Page 55, Line 51, by inserting immediately after the first use of the word “in” the following: **“any underperforming district located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, in”**; and further amend line 68, by inserting immediately after “district,” the following: **“any underperforming district located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants,”**; and

Further amend said bill, Page 75, Section 167.848, line 2, by striking “167.642,”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted.

President Pro Tem Dempsey assumed the Chair.

At the request of Senator Pearce, **SB 1**, **SB 22**, **SB 49** and **SB 70**, with **SCS** and **SA 13** (pending), were placed on the Informal Calendar.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 361—Agriculture, Food Production and Outdoor Resources.

SB 362—Small Business, Insurance and Industry.

SB 363—Financial and Governmental Organizations and Elections.

SB 364—Jobs, Economic Development and Local Government.

SB 365—Education.

SB 366—Education.

SB 367—Commerce, Consumer Protection, Energy and the Environment.

SB 368—Financial and Governmental Organizations and Elections.

SB 369—Governmental Accountability and Fiscal Oversight.

SB 370—Transportation, Infrastructure and Public Safety.

SB 371—Transportation, Infrastructure and Public Safety.

SB 372—General Laws and Pensions.

SB 373—Transportation, Infrastructure and Public Safety.

SB 374—Ways and Means.

SB 375—Commerce, Consumer Protection, Energy and the Environment.

SB 376—Commerce, Consumer Protection, Energy and the Environment.

SB 377—Ways and Means.

SB 378—Transportation, Infrastructure and Public Safety.

SB 379—Jobs, Economic Development and Local Government.

SB 380—Seniors, Families and Children.

SB 381—Judiciary and Civil and Criminal Jurisprudence.

SB 382—Judiciary and Civil and Criminal Jurisprudence.

SB 383—Small Business, Insurance and Industry.

SB 384—Jobs, Economic Development and Local Government.

SB 385—Jobs, Economic Development and Local Government.

SB 386—Agriculture, Food Production and Outdoor Resources.

SB 387—Jobs, Economic Development and Local Government.

SB 388—Commerce, Consumer Protection, Energy and the Environment.

SB 389—Governmental Accountability and Fiscal Oversight.

SB 390—Jobs, Economic Development and Local Government.

SB 391—Financial and Governmental Organizations and Elections.

SB 392—Small Business, Insurance and Industry.

SB 393—Judiciary and Civil and Criminal Jurisprudence.

SB 394—Small Business, Insurance and Industry.

SB 395—Veterans' Affairs and Health.

SB 396—Transportation, Infrastructure and Public Safety.

SB 397—Ways and Means.

- SB 398**—Commerce, Consumer Protection, Energy and the Environment.
- SB 399**—Financial and Governmental Organizations and Elections.
- SB 400**—Financial and Governmental Organizations and Elections.
- SB 401**—Jobs, Economic Development and Local Government.
- SB 402**—Small Business, Insurance and Industry.
- SB 403**—Commerce, Consumer Protection, Energy and the Environment.
- SB 404**—Small Business, Insurance and Industry.
- SB 405**—Jobs, Economic Development and Local Government.
- SB 406**—Small Business, Insurance and Industry.
- SB 407**—Veterans' Affairs and Health.
- SB 408**—Transportation, Infrastructure and Public Safety.
- SB 409**—Commerce, Consumer Protection, Energy and the Environment.
- SB 410**—Judiciary and Civil and Criminal Jurisprudence.
- SB 411**—Financial and Governmental Organizations and Elections.
- SB 412**—Small Business, Insurance and Industry.
- SB 413**—Judiciary and Civil and Criminal Jurisprudence.
- SB 414**—Financial and Governmental Organizations and Elections.
- SB 415**—Financial and Governmental Organizations and Elections.
- SB 416**—Financial and Governmental Organizations and Elections.
- SB 417**—Judiciary and Civil and Criminal Jurisprudence.
- SB 418**—Education.
- SB 419**—Veterans' Affairs and Health.
- SB 420**—Ways and Means.
- SB 421**—Ways and Means.
- SB 422**—Veterans' Affairs and Health.
- SB 423**—Transportation, Infrastructure and Public Safety.
- SB 424**—Education.
- SB 425**—Seniors, Families and Children.
- SB 426**—Veterans' Affairs and Health.
- SB 427**—Seniors, Families and Children.

SB 428—Rules, Joint Rules, Resolutions and Ethics.

SB 429—Financial and Governmental Organizations and Elections.

SB 430—Jobs, Economic Development and Local Government.

SB 431—Veterans' Affairs and Health.

SB 432—Small Business, Insurance and Industry.

SB 433—Rules, Joint Rules, Resolutions and Ethics.

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 462, regarding the Southwest Missouri Cattlemen chapter of the Missouri Cattlemen's Association, which was adopted.

Senator Keaveny offered Senate Resolution No. 463, regarding Joseph C. Gorla, Saint Louis, which was adopted.

Senator Keaveny offered Senate Resolution No. 464, regarding Arthur Frank Young, Webster Groves, which was adopted.

Senator Keaveny offered Senate Resolution No. 465, regarding George Martin Sallwasser, Jr., Webster Groves, which was adopted.

Senator Keaveny offered Senate Resolution No. 466, regarding Milton Herbert Hieken, Clayton, which was adopted.

Senator Riddle offered Senate Resolution No. 467, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Larry Dunn, Middletown, which was adopted.

Senator Sater offered Senate Resolution No. 468, regarding the Ninety-fifth Birthday of Faye Barnes, Galena, which was adopted.

Senator Sater offered Senate Resolution No. 469, regarding the Eightieth Birthday of Rosemay Gideon Thornton, Forsyth, which was adopted.

Senator Sater offered Senate Resolution No. 470, regarding the Eightieth Birthday of Norma Hyde Wiseley, which was adopted.

Senator Sater offered Senate Resolution No. 471, regarding the Ninetieth Birthday of Olive Haynes, Cassville, which was adopted.

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

SENATE BILLS FOR PERFECTION

Senator Pearce moved that **SB 1**, **SB 22**, **SB 49** and **SB 70**, with **SCS** and **SA 13** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Chappelle-Nadal offered **SSA 1** for **SA 13**, which was read:

**SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 13**

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 52, Section 167.642, Line 1, by striking the word “underperforming”.

Senator Chappelle-Nadal moved that the above substitute amendment be adopted.

Senator Schupp requested a roll call vote be taken. She was joined in her request by Senators Keaveny, Holsman, LeVota and Sifton.

SSA 1 for **SA 13** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe
Kraus	Libla	Nasheed	Onder	Parson	Pearce	Richard	Riddle
Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wasson	Wieland—24

NAYS—Senators

Curls	Holsman	Keaveny	LeVota	Munzlinger	Romine	Schupp	Sifton
Wallingford—9							

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—None

Senator Sifton offered **SA 14**:

SENATE AMENDMENT NO. 14

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 76, Section 167.848, Line 44, by inserting immediately after all of said line the following:

“167.950. 1. Each public school shall screen each enrolling student for dyslexia and related disorders at appropriate times in accordance with rules promulgated by the state board of education.

2. The school board of each district and the governing board of each charter school shall provide for the treatment of any student determined to have dyslexia or a related disorder.

3. For purposes of this section, the following terms shall mean:

(1) “Dyslexia”, a disorder of constitutional origin manifested by a difficulty in learning to read, write, or spell, despite conventional instruction, adequate intelligence, and sociocultural opportunity;

(2) “Related disorders”, includes disorders similar to or related to dyslexia, such as developmental auditory imperception, dysphasia, specific developmental dyslexia, developmental dysgraphia, and developmental spelling disability.

4. The state board of education shall promulgate rules and regulations for each public school to screen each enrolling student for dyslexia and related disorders. Any rule or portion of a rule, as that

term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 15**:

SENATE AMENDMENT NO. 15

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 84, Section 1, Line 36, by inserting after all of said line the following:

“7. If any provision of this section, or the application thereof to anyone or to any circumstances is held invalid, the remainder of this section or this act and application of such provisions to others or other circumstances shall not be affected thereby.

Section 2. If any provision of this act, or the application thereof to anyone or to any circumstances is held invalid, the remainder of the provisions of this act and the application of such provisions to others or other circumstances shall not be affected thereby.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Kraus assumed the Chair.

Senator Chappelle-Nadal offered **SA 16**:

SENATE AMENDMENT NO. 16

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 44, Section 162.1250, Line 90, by inserting at the end of said line the following: **“For purposes of this subsection, the state adequacy target amount used shall be the amount as calculated under subsection 8 of section 163.031 for the applicable fiscal year.”.**

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Chappelle-Nadal offered **SA 17**:

SENATE AMENDMENT NO. 17

Amend Senate Committee Substitute for Senate Bills Nos. 1, 22, 49 and 70, Page 46, Section 162.1303, Line 28, by inserting immediately after the word “district” the following: **“charter school, and local education agency”**; and further amend lines 32-34, by striking all of said lines and inserting in lieu thereof the following:

“7. For purposes of this section and section 162.1305, the following terms shall mean:

(1) “Reentry student” or “reentry students”, any student who enrolls in a district, charter school, or local education agency, withdrew from the district, charter school, or local education agency, and reenrolled in the district, charter school, or local education agency;

(2) “Transient student”, any student who enrolls in a district, charter school, or local education agency after the last Wednesday of September or any reentry student.”; and

Further amend said bill, pages 46-47, section 162.1305, lines 1-21, by striking all of said section and inserting in lieu thereof the following:

“162.1305. The statewide assessment scores and all other performance data for any transient student or any student who has not been enrolled in a district-operated school or a charter school for the previous three full school terms shall be modified in the following manner when calculating the district's or charter school's performance for purposes of the Missouri school improvement program, any successor assessment program, or scores on the annual performance report:

(1) Any statewide assessment scores and all other performance data for any student who has not been enrolled in a district-operated school or charter school for the preceding full school term shall not be used when calculating the district's or charter school's performance for purposes of the Missouri school improvement program, any successor assessment program, or scores on the annual performance report;

(2) The statewide assessment scores and all other performance data for any student who has been enrolled in a district-operated school or charter school for the full preceding school term but has not been enrolled in a district-operated school or charter school for the full two preceding school terms shall be weighted at thirty percent of the weight assigned to a student who has been enrolled in a district-operated school or charter school for the full three preceding school terms when calculating the district's or charter school's performance for purposes of the Missouri school improvement program, any successor assessment program, or scores on the annual performance report;

(3) The statewide assessment scores and all other performance data for any student who has been enrolled in a district-operated school or charter school for two full preceding school terms but has not been enrolled in a district-operated school or charter school for the full three preceding school terms shall be weighted at seventy percent of the weight assigned to a student who has been enrolled in a district-operated school or charter school for the full three preceding school terms when calculating the district's performance for purposes of the Missouri school improvement program, any successor assessment program, or scores on the annual performance report.”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

Senator Pearce moved that SCS for SBs 1, 22, 49 and 70, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, SCS for SBs 1, 22, 49 and 70, as amended, was declared perfected and ordered printed.

REFERRALS

President Pro Tem Dempsey referred **SB 205** to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 472, regarding Bruno Eugene Mroczkowski, Maryland Heights, which was adopted.

Senator Schupp offered Senate Resolution No. 473, regarding Harvey Hieken, Chesterfield, which was adopted.

Senator LeVota offered Senate Resolution No. 474, regarding Courtney Calhoun, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 475, regarding Director General Jake Yang and the Taipei Economic and Cultural Office.

Senator Kehoe offered Senate Resolution No. 476, regarding Micah Noble Kennedy, Jefferson City, which was adopted.

Senator Keaveny offered Senate Resolution No. 477, regarding Vincent Diraimondo, Jr., Saint Louis, which was adopted.

Senator Brown offered Senate Resolution No. 478, regarding Luke Walker, which was adopted.

Senator Cunningham offered Senate Resolution No. 479, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Charles Clayton Hutchins, which was adopted.

Senator Schmitt offered Senate Resolution No. 480, regarding the Kirkwood R-VII School District, Saint Louis, which was adopted.

Senator Wasson offered Senate Resolution No. 481, regarding Miles Bryant Hammerschmidt, which was adopted.

Senator Wasson offered Senate Resolution No. 482, regarding Brittany Donnellan, Springfield, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Holsman introduced to the Senate, Michael O'Dell and Gillian Housman, Kansas City.

Senator Schmitt introduced to the Senate, Pat Jacobs and Becca Mueller, Fenton; Brett Stuppy and Kasey McMullen, Ballwin.

Senator Sifton introduced to the Senate, representatives of the Missouri Dermatology Association.

Senator Parson introduced to the Senate, students from Southwest Baptist University, Bolivar.

Senator Curls introduced to the Senate, Erris Pierson, Lee's Summit; and her Grandmother, Linda Spence, Raytown.

Senator Schaefer introduced to the Senate, his son, Max; teachers Kathryn Fishman-Weaver, Rockbridge High School; Matt Leutchmann, Battle High School; Ginny Lennon, Hickman High School; twenty-five Gifted Students from Boone County; and Gifted Student, Glen Decker, Hallsville.

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. Stephen Keithahn, Columbia.

Senator Schaaf introduced to the Senate, Administrator, Amy Adams, and sixty students from East Buchanan School District, Gower.

Senator Pearce introduced to the Senate, Dr. Jamie Ulbrich, Marshall; and Dr. David Pulliam, Higginsville.

Senator Onder introduced to the Senate, Dan Reuter and Paul Gantner, St. Louis.

Senator LeVota introduced to the Senate, Craig Lee, Megan Holm, and Abby Seider, Independence.

Senator Brown introduced to the Senate, his wife, Kathy and their Grandson, Tristin; and Danette Sherrill, Rolla.

Senator LeVota introduced to the Senate, representatives of the Independence Chamber of Commerce: Eileen Weir, Zach Welker, Jim Barnes, Jodi Krantz, Hap & Susie Graff, Allen Garner, Jonathan Zerr, Abe Forth, Amy Hart, Angela Roscios, John George, John Cato, Katherine Oatman, Mikealene Evans, Olivia Charpie, Ramona Dunn, Rebecca Higgs, Ruth Stevens, Sheri Ring, Sonia Sanchez, Susie Goldsmith and Tim James.

Senator Holsman introduced to the Senate, Pat and Connor Hanlon, St. Louis.

Senator Walsh introduced to the Senate, Mike Randell, Brian Young and Steve Poole, St. Louis.

Senator Kehoe introduced to the Senate, Dr. J. P. McAleer, Dr. A. Patel, and Janet Enloe, Jefferson City.

Senator Kehoe introduced to the Senate, Ms. Carole Moore, parents and forty-one Gifted Students from Maries County R-2 School, Belle and Bland.

Senator Schmitt introduced to the Senate, Dr. Jason Reinberg, Washington.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-SEVENTH DAY—WEDNESDAY, FEBRUARY 25, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 434-Schmitt

SB 435-Walsh

SB 436-Walsh

SB 437-Walsh

SB 438-Dempsey

SB 439-LeVota

SB 440-Sifton, et al

SB 441-Schaefer

SB 442-Schaefer

SB 443-Schatz

SB 444-Schaaf

SB 445-Romine

SB 446-Schupp and Brown	SB 476-Kehoe
SB 447-Wieland	SB 477-Wallingford
SB 448-Wieland	SB 478-Onder
SB 449-Kraus	SB 479-Onder
SB 450-Emery	SB 480-Onder
SB 451-Dixon	SB 481-Onder
SB 452-Schmitt, et al	SB 482-Schupp
SB 453-LeVota	SB 483-Silvey
SB 454-LeVota	SB 484-Wieland
SB 455-Kehoe	SB 485-Wieland
SB 456-Kehoe	SB 486-Sifton
SB 457-Sater	SB 487-Richard
SB 458-Sater	SB 488-Cunningham
SB 459-Libla	SB 489-Cunningham
SB 460-Silvey	SB 490-LeVota
SB 461-Wieland	SB 491-Schatz
SB 462-Schaefer	SB 492-Schatz
SB 463-Dixon	SB 493-Brown
SB 464-Dixon	SB 494-LeVota
SB 465-Schmitt	SB 495-Hegeman
SB 466-Schmitt	SB 496-Hegeman
SB 467-Sifton	SB 497-Hegeman
SB 468-Sifton	SB 498-Wasson
SB 469-Munzlinger	SB 499-Wasson
SB 470-Parson	SB 500-Riddle
SB 471-Schaaf	SB 501-Riddle
SB 472-Schaaf	SB 502-Schmitt
SB 473-Schaaf	SJR 13-Schaaf
SB 474-Wallingford	SJR 14-Dixon
SB 475-Dempsey	SJR 15-Cunningham

HOUSE BILLS ON SECOND READING

HCS for HB 259	HB 615-Dohrman
HB 150-Fitzpatrick	HCS#2 for HB 63
HB 241-Davis	HB 30-Dugger
HCS for HBs 116 & 569	HB 92-Miller
HB 64-Dugger	HB 125-Black
HJR 1-Dugger	HB 185-Love
HB 524-Dugger	

SENATE BILLS FOR PERFECTION

SB 19-Kraus, with SCS	SB 110-Schaefer
SB 115-Kraus, with SCS	SB 122-Walsh, with SCS
SB 174-Schmitt and Chappelle-Nadal, with SCS	SB 142-Romine, with SCS
SB 82-Chappelle-Nadal	SB 330-Parson
	SB 131-Parson, with SCS

INFORMAL CALENDAR

CONSENT CALENDAR

Senate Bills

Reported 2/12

SB 68-Romine

Reported 2/19

SB 116-Kraus
SB 113-Dixon

SB 148-Parson

Reported 2/23

SB 276-Walsh

SB 277-Walsh

RESOLUTIONS

Reported from Committee

HCR 20-Lynch

To be Referred

SCR 27-Onder

SCR 28-LeVota

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-SEVENTH DAY—WEDNESDAY, FEBRUARY 25, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Our steps are made firm by the Lord, when he delights in our way; though we stumble, we shall not fall headlong, for the Lord holds us by the hand.” (Psalm 37:23-24)

Almighty God, help us to live graciously by trusting always in Your wondrous presence. For without You we have and are nothing. May we be faithful with what You have entrusted us to do and walk always in Your ways serving those who have trusted us to serve them, here in this place. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

CONCURRENT RESOLUTIONS

Senator Onder offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 29

Whereas, a new 2.3% federal excise tax on the sale of taxable medical devices by manufacturers, producers, and importers of such devices took effect on January 1, 2013; and

Whereas, the United States Congress Joint Committee on Taxation estimates that the tax will generate \$29 billion in revenue in its first ten years; and

Whereas, the United States is a net exporter in medical devices, exporting \$5.4 billion more than it imports, and accounts for 40% of the global medical technology market; and

Whereas, a study completed by the Manhattan Institute found that the medical device tax will almost double the medical device industry's total tax bill and could result in the loss of up to 43,000 jobs in the medical technology industry; and

Whereas, the medical device tax will harm the United States' global competitiveness, stunt medical innovation, and restrict the ability of patients to receive the life-saving medical devices and care they need; and

Whereas, the medical device tax is imposed on United States sales, rather than profits, of medical device manufacturers, so it will be particularly damaging to innovative start-up companies:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the President of the United States and the Congress of the United States to repeal the excise tax on medical devices; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives and the members of the Missouri Congressional delegation.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 503—By Wieland.

An Act to amend chapter 379, RSMo, by adding thereto one new section relating to self-service storage facilities.

SB 504—By Wieland.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to administrative leave for public employees.

SB 505—By Wieland.

An Act to repeal sections 334.700, 334.702, 334.704, 334.706, 334.708, 334.710, 334.712, 334.715, 334.717, 334.719, 334.720, 334.721, and 334.725, RSMo, and to enact in lieu thereof fourteen new sections relating to athletic trainers, with a penalty provision.

SB 506—By Riddle.

An Act to repeal section 70.210, RSMo, and to enact in lieu thereof one new section relating to the authority of certain boards to cooperate with other entities.

SB 507—By Silvey.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to tax credits, with an emergency clause.

SB 508—By Holsman and Riddle.

An Act to amend chapter 8, RSMo, by adding thereto one new section relating to energy conservation.

SB 509—By Holsman.

An Act to repeal section 386.890, RSMo, and to enact in lieu thereof one new section relating to the net metering and easy connection act.

SB 510—By Holsman.

An Act to amend chapter 386, RSMo, by adding thereto one new section relating to renewable power purchase agreements.

SB 511—By Schaaf.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to healthcare contractors for the department of corrections.

SB 512—By Schaaf.

An Act to repeal section 610.021, RSMo, and to enact in lieu thereof twenty-four new sections relating to the partnership for public facilities and infrastructure act.

SB 513—By Parson.

An Act to amend chapter 354, RSMo, by adding thereto one new section relating to health maintenance organizations.

SB 514—By Parson.

An Act to amend chapter 21, RSMo, by adding thereto one new section relating to the amendment of bills in the general assembly.

SB 515—By Sater.

An Act to repeal section 192.2475 as enacted by house revision bill no. 1299 merged with senate bill no. 491, ninety-seventh general assembly, second regular session, and section 192.2475 as enacted by house revision bill no. 1299, ninety-seventh general assembly, second regular session, RSMo, and to enact in lieu thereof one new section relating to reporting abuse or neglect of in-home services clients, with existing penalty provisions.

SB 516—By Sifton.

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to credit card entry event tickets, with a penalty provision.

SB 517—By Wasson.

An Act to repeal sections 193.015 and 193.145, RSMo, and to enact in lieu thereof two new sections relating to physician assistants in the death certification process.

SB 518—By Wallingford.

An Act to repeal sections 211.031 and 211.036, RSMo, and to enact in lieu thereof two new sections relating to reentry of children released from children's division custody.

SB 519—By Richard, Nasheed, Walsh, Keaveny, Romine, Pearce, Kehoe, Cunningham and Wasson.

An Act to repeal section 99.845, RSMo, and to enact in lieu thereof one new section relating to tax increment financing for retention or expansion of geospatial-intelligence jobs.

SB 520—By Kehoe.

An Act to repeal section 414.082, RSMo, and to enact in lieu thereof one new section relating to the per barrel fee for the inspection of certain motor fuels.

SB 521—By Kehoe.

An Act to repeal section 386.250, RSMo, and to enact in lieu thereof one new section relating to interconnections between public utilities.

SB 522—By Kehoe.

An Act to repeal section 394.080, RSMo, and to enact in lieu thereof one new section relating to the payment of damages in a civil action against a rural electric cooperative.

SB 523—By Kraus.

An Act to repeal section 115.105, RSMo, and to enact in lieu thereof one new section relating to election challengers.

SB 524—By Cunningham.

An Act to repeal sections 362.111, 369.159, and 370.073, RSMo, and to enact in lieu thereof three new sections relating to contractual fees charged by certain financial institutions.

SB 525—By Brown.

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to notifying the children's division of certain court orders.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 24, 2015

To the Senate of the 98 General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Vanessa F. Cooksey, Independent, 4026 DeTonty Street, Saint Louis City, Missouri 63110, as a member of the Harris-Stowe State University Board of Regents, for a term ending July 28, 2020, and until her successor is duly appointed and qualified; vice, Thelma V. Cook, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 24, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Craig M. Lucas, 3969 Roland Boulevard, Saint Louis, Saint Louis County Missouri 63121, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, for a term ending May 31, 2016, and until his successor is duly appointed and qualified; vice, Melissa J. Edwards, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 19**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 19**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 19

An Act to repeal section 143.451, RSMo, and to enact in lieu thereof one new section relating to allocation of corporate income.

Was taken up.

Senator Pearce assumed the Chair.

Senator Kraus moved that **SCS** for **SB 19** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 19** was declared perfected and ordered printed.

Senator Kraus moved that **SB 115**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 115**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 115

An Act to repeal section 143.801, RSMo, and to enact in lieu thereof one new section relating to limitations on income tax credits or refunds.

Was taken up.

Senator Kraus moved that **SCS** for **SB 115** be adopted.

Senator Kraus offered **SS** for **SCS** for **SB 115**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 115

An Act to repeal section 143.801, RSMo, and to enact in lieu thereof one new section relating to

limitations on income tax credits or refunds.

Senator Kraus moved that **SS** for **SCS** for **SB 115** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SCS** for **SB 115** was declared perfected and ordered printed.

Senator Schmitt moved that **SB 174**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 174**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 174

An Act to amend chapter 166, RSMo, by adding thereto ten new sections relating to the Missouri Achieving a Better Life Experience program.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 174** be adopted.

Senator Schmitt offered **SS** for **SCS** for **SB 174**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 174

An Act to amend chapter 166, RSMo, by adding thereto ten new sections relating to the Missouri Achieving a Better Life Experience program.

Senator Schmitt moved that **SS** for **SCS** for **SB 174** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SCS** for **SB 174** was declared perfected and ordered printed.

Senator Chappelle-Nadal moved that **SB 82** be taken up for perfection, which motion prevailed.

On motion of Senator Chappelle-Nadal, **SB 82** was declared perfected and ordered printed.

President Kinder assumed the Chair.

Senator Schaefer moved that **SB 110** be taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Schaefer, **SB 110** was declared perfected and ordered printed.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 526—By Riddle.

An Act to repeal sections 386.020 and 386.710, RSMo, and to enact in lieu thereof two new sections relating to powers of the public counsel.

SB 527—By Keaveny.

An Act to repeal section 57.010, RSMo, and to enact in lieu thereof one new section relating to the appointment of sheriffs in the city of St. Louis.

REFERRALS

President Pro Tem Dempsey referred **SCR 27** and **SCR 28** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Richard, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 190**, entitled:

An Act to repeal section 197.230, RSMo, and to enact in lieu thereof one new section relating to the protection of women's health care.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 42**, entitled:

An Act to repeal sections 160.011, 162.081, 162.1250, 163.036, 167.121, 167.131, 167.241, and 177.031, RSMo, and to enact in lieu thereof twenty-five new sections relating to school accreditation, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 19**; **SB 82**; **SB 110**; **SS** for **SCS** for **SB 115**; and **SS** for **SCS** for **SB 174**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 528—By Sater.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to medication

synchronization services.

SB 529—By Onder.

An Act to repeal sections 577.703, 577.712, 578.305, and 578.320, RSMo, and to enact in lieu thereof five new sections relating to the carrying of concealed firearms on public transportation systems, with existing penalty provisions.

SB 530—By Onder.

An Act to amend chapter 160, RSMo, by adding thereto sixteen new sections relating to protecting the privacy of student data, with penalty provisions and an emergency clause.

SB 531—By Emery.

An Act to amend chapter 166, RSMo, by adding thereto six new sections relating to savings accounts for education, with a penalty provision.

SB 532—By Riddle.

An Act to repeal section 476.083, RSMo, and to enact in lieu thereof one new section relating to circuit court marshals.

SB 533—By Riddle.

An Act to repeal section 210.003, RSMo, and to enact in lieu thereof one new section relating to immunizations of children.

SB 534—By Schaaf.

An Act to repeal section 304.130, RSMo, and to enact in lieu thereof one new section relating to transportation.

SB 535—By Schaaf.

An Act to repeal section 143.811, RSMo, and to enact in lieu thereof one new section relating to taxation.

SB 536—By Schaaf.

An Act to amend chapter 21, RSMo, by adding thereto one new section relating to requests for state agency documents by members of the general assembly.

SB 537—By Schaaf.

An Act to repeal section 192.020, RSMo, and to enact in lieu thereof one new section relating to health care.

SB 538—By Schaaf.

An Act to repeal section 160.276, RSMo, and to enact in lieu thereof one new section relating to education.

SB 539—By Brown.

An Act to amend chapter 49, RSMo, by adding thereto one new section relating to the authority of

county officers to provide passport services.

SB 540—By Libla.

An Act to repeal section 142.803 as enacted by house bill no. 2141, ninety-seventh general assembly, second regular session, and section 142.803 as enacted by house bill no. 1196, ninety-first general assembly, second regular session, RSMo, and to enact in lieu thereof one new section relating to motor fuel taxes, with an emergency clause.

Senator Kraus assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Walsh moved that **SB 122**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 122**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 122**

An Act to amend chapter 194, RSMo, by adding thereto one new section relating to a health care directives registry.

Was taken up.

Senator Walsh moved that **SCS** for **SB 122** be adopted.

Senator Walsh offered **SS** for **SCS** for **SB 122**, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 122**

An Act to amend chapter 194, RSMo, by adding thereto one new section relating to a health care directives registry.

Senator Walsh moved that **SS** for **SCS** for **SB 122** be adopted, which motion prevailed.

On motion of Senator Walsh, **SS** for **SCS** for **SB 122** was declared perfected and ordered printed.

Senator Romine moved that **SB 142**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 142**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 142**

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to implementation impact reports.

Was taken up.

Senator Romine moved that **SCS** for **SB 142** be adopted.

Senator Romine offered **SS** for **SCS** for **SB 142**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 142

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to implementation impact reports.

Senator Romine moved that **SS** for **SCS** for **SB 142** be adopted.

At the request of Senator Romine, **SB 142**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SCS** for **SB 174**; **SS** for **SCS** for **SB 115**; and **SCS** for **SB 19** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

HCS for **HB 259**—Agriculture, Food Production and Outdoor Resources.

HB 150—Small Business, Insurance and Industry.

HB 241—Transportation, Infrastructure and Public Safety.

HCS for **HBs 116** and **569**—Small Business, Insurance and Industry.

HB 64—Financial and Governmental Organizations and Elections.

HJR 1—Financial and Governmental Organizations and Elections.

HB 524—Transportation, Infrastructure and Public Safety.

HB 615—Small Business, Insurance and Industry.

HCS No. 2 for **HB 63**—Financial and Governmental Organizations and Elections.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 483, regarding Kristina Fosdick, which was adopted.

Senator Schmitt offered Senate Resolution No. 484, regarding Ben Kloos, which was adopted.

Senator Parson offered Senate Resolution No. 485, regarding the One Hundredth Birthday of Priscilla Faye Hammons, Stockton, which was adopted.

Senator Parson offered Senate Resolution No. 486, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ronnie Cook, Bolivar, which was adopted.

Senator Parson offered Senate Resolution No. 487, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Richard Mike Midles, Bolivar, which was adopted.

Senator Sifton offered Senate Resolution No. 488, regarding Sam Pointer, which was adopted.

Senator Hegeman offered Senate Resolution No. 489, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Keith Walker, Milan, which was adopted.

Senator Hegeman offered Senate Resolution No. 490, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Melvin Sorenson, Princeton, which was adopted.

Senator Hegeman offered Senate Resolution No. 491, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Bob Roberts, Rea, which was adopted.

Senator Hegeman offered Senate Resolution No. 492, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Richard "Pude" Jackson, Craig, which was adopted.

Senator Silvey offered Senate Resolution No. 493, regarding the One Hundredth Anniversary of Metropolitan Community College, Kansas City, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Lindel Jones, Kevin Collins, Anita Jackson and Robert Tate, Missouri Dental Association.

Senator Parson introduced to the Senate, representatives of the Missouri Propane Gas Association; and Representatives of Missouri Community Colleges.

Senator Holsman introduced to the Senate, Jeanette Lepique, Kansas City.

Senator Romine introduced to the Senate, representatives of the Certified Registered Nurse Anesthetists.

Senator Libla introduced to the Senate, Ari Eisenstadt, St. Louis.

Senator Hegeman introduced to the Senate, Taylor Bazley, Coro Fellow, San Diego, California; Callie Feldman and Alyssa Embick, Maryville.

Senator Nasheed introduced to the Senate, Juan Galvan, Coro Fellow, Santa Barbara, California.

Senator Emery introduced to the Senate, David Ory, Georgia Stull, Valerie Jones, David Hoffman, Brittany Nieder, Aaron, Nancy & Brett Miller, Austin Moreland, Cheyenne Osterberg, Nathan Wagner, and Blake Moreland, University of Missouri Extension, Cass County; and Marina Balleria, St. Louis.

Senator Schaaf introduced to the Senate, representatives of the Missouri Hospice and Palliative Care Association.

Senator Richard introduced to the Senate, Alex and Tyler Campbell, Neosho.

Senator Riddle introduced to the Senate, Tom Groves, Karen Potter, Tina Schmeling, and Mary Sobba, University of Missouri Extension, Audrain County.

Senator Schatz introduced to the Senate, Dr. John Bauer, Joel Doepker, Phil Pena, Jim Perry, Ann Hartley, Don Kappelmann, Joe Stroetker, Mardy Leathers, Shannon Grues and Shelli Allen, East Central College.

Senator Walsh introduced to the Senate, Michael Lee, Coro Fellow, Los Angeles, California.

Senator Brown introduced to the Senate, Dr. Cheryl B. Schader, Chancellor, University of Missouri Science and Technology, Rolla.

Senator Dempsey introduced to the Senate, Steve Green, Farmington.

Senator Emery introduced to the Senate, Laura Bardot, Franklin County; Jennifer Mosbrucker, Vernon

County; and Becky Bade, Callaway County, University of Missouri Extension Council.

Senator Riddle introduced to the Senate, Bob Mitchell and Steve Wright, Monroe County University of Missouri Extension.

Senator Wallingford introduced to the Senate, Lexi Marten, Coro Fellow, St. Louis.

Senator Schmitt introduced to the Senate, the Physician of the Day, Dr. Matt Satterly, Glendale.

Senator Hegeman introduced to the Senate, Kari Maag, Donna Miller and Laura Bodicky, St. Joseph.

On behalf of Senator Pearce, the President introduced to the Senate, Devin Graff, Alma; Debbie Kiser, Marshall; Marie Shilbaya, Warrensburg; Holly Meadows, Knob Noster; and Dakota Kiser, Oak Grove.

Senator Wallingford introduced to the Senate, Quentin Little, Alannah Little, Raylee Leimer, Raina Ware and Marissa Calvert, Bollinger County 4-H.

On behalf of Senator Pearce, the President introduced to the Senate, Frank Ashinhurst, Lexington; Leeta and John Ickes, Wellington; and Eric Kerwood, Sedalia.

Senator Holsman introduced to the Senate, representatives of Hospice, Kansas City.

Senator Schatz introduced to the Senate, Dylan Schatz, Sullivan.

Senator Brown introduced to the Senate, Velynda Cameron, Polk and Hickory County 4-H; and Dennis Parks.

Senator Cunningham introduced to the Senate, Karla Mieser, Earlene Coday, Carla Roberts and Janean Miller, Mountain Grove.

Senator Dempsey introduced to the Senate, Roy Norton, Consulate General of Canada.

Senator Libla introduced to the Senate, Jessica Succow, Blair Kelley, Sheena Barber, Justin Bieller, Luzvie Bowers, Hallie Horton, Kristy Gookin, Meaghan Bradshaw, Katlyn Clark, and Jacque Sample, Three Rivers College.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-EIGHTH DAY--THURSDAY, FEBRUARY 26, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 434-Schmitt

SB 435-Walsh

SB 436-Walsh

SB 437-Walsh

SB 438-Dempsey	SB 478-Onder
SB 439-LeVota	SB 479-Onder
SB 440-Sifton, et al	SB 480-Onder
SB 441-Schaefer	SB 481-Onder
SB 442-Schaefer	SB 482-Schupp
SB 443-Schatz	SB 483-Silvey
SB 444-Schaaf	SB 484-Wieland
SB 445-Romine	SB 485-Wieland
SB 446-Schupp and Brown	SB 486-Sifton
SB 447-Wieland	SB 487-Richard
SB 448-Wieland	SB 488-Cunningham
SB 449-Kraus	SB 489-Cunningham
SB 450-Emery	SB 490-LeVota
SB 451-Dixon	SB 491-Schatz
SB 452-Schmitt, et al	SB 492-Schatz
SB 453-LeVota	SB 493-Brown
SB 454-LeVota	SB 494-LeVota
SB 455-Kehoe	SB 495-Hegeman
SB 456-Kehoe	SB 496-Hegeman
SB 457-Sater	SB 497-Hegeman
SB 458-Sater	SB 498-Wasson
SB 459-Libla	SB 499-Wasson
SB 460-Silvey	SB 500-Riddle
SB 461-Wieland	SB 501-Riddle
SB 462-Schaefer	SB 502-Schmitt
SB 463-Dixon	SB 503-Wieland
SB 464-Dixon	SB 504-Wieland
SB 465-Schmitt	SB 505-Wieland
SB 466-Schmitt	SB 506-Riddle
SB 467-Sifton	SB 507-Silvey
SB 468-Sifton	SB 508-Holsman and Riddle
SB 469-Munzlinger	SB 509-Holsman
SB 470-Parson	SB 510-Holsman
SB 471-Schaaf	SB 511-Schaaf
SB 472-Schaaf	SB 512-Schaaf
SB 473-Schaaf	SB 513-Parson
SB 474-Wallingford	SB 514-Parson
SB 475-Dempsey	SB 515-Sater
SB 476-Kehoe	SB 516-Sifton
SB 477-Wallingford	SB 517-Wasson

SB 518-Wallingford	SB 531-Emery
SB 519-Richard, et al	SB 532-Riddle
SB 520-Kehoe	SB 533-Riddle
SB 521-Kehoe	SB 534-Schaaf
SB 522-Kehoe	SB 535-Schaaf
SB 523-Kraus	SB 536-Schaaf
SB 524-Cunningham	SB 537-Schaaf
SB 525-Brown	SB 538-Schaaf
SB 526-Riddle	SB 539-Brown
SB 527-Keaveny	SB 540-Libla
SB 528-Sater	SJR 13-Schaaf
SB 529-Onder	SJR 14-Dixon
SB 530-Onder	SJR 15-Cunningham

HOUSE BILLS ON SECOND READING

HB 30-Dugger	HB 185-Love
HB 92-Miller	HB 190-Swan
HB 125-Black	HCS for HB 42

THIRD READING OF SENATE BILLS

SB 205-Parson (In Fiscal Oversight)	SS for SCS for SB 115-Kraus
SCS for SB 19-Kraus (In Fiscal Oversight)	(In Fiscal Oversight)
SB 82-Chappelle-Nadal	SS for SCS for SB 174-Schmitt
SB 110-Schaefer	(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 330-Parson	SB 131-Parson, with SCS
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INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 142-Romine, with SCS & SS for SCS
(pending)

CONSENT CALENDAR

Senate Bills

Reported 2/12

SB 68-Romine

Reported 2/19

SB 116-Kraus

SB 148-Parson

SB 113-Dixon

Reported 2/23

SB 276-Walsh

SB 277-Walsh

RESOLUTIONS

Reported from Committee

HCR 20-Lynch

To be Referred

SCR 29-Onder

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-EIGHTH DAY—THURSDAY, FEBRUARY 26, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“O give thanks to the Lord, for he is good, for his steadfast love endures forever.” (Psalm 136:1)

Gracious and loving God, You are the author of love and have taught us and made us able to love because You have first loved us. You have shown us how to love You and those You have given us to love. So help us, Lord, to know more perfectly Your love and invite us to share the fragrance of Your love so that it permeates our homes and everywhere that You send us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 494, regarding Consul General of Israel Roey Gilad, which was adopted.

Senator Hegeman offered Senate Resolution No. 495, regarding Taylor Schmidt, Excelsior Springs, which was adopted.

Senator Hegeman offered Senate Resolution No. 496, regarding Jenna Abbott, Kearney, which was adopted.

Senators Dempsey and Nasheed offered Senate Resolution No. 497, regarding the Eightieth Birthday of Norlene Boyd, Saint Louis, which was adopted.

Senator Sater offered Senate Resolution No. 498, regarding Ken Gaspar, Monett, which was adopted.

Senator Sater offered Senate Resolution No. 499, regarding Phyllis Garrett, Monett, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 541—By Pearce.

An Act to repeal section 135.750, RSMo, and to enact in lieu thereof one new section relating to tax credits for qualified film projects.

SB 542—By Sater.

An Act to repeal section 208.166, RSMo, and to enact in lieu thereof one new section relating to MO HealthNet managed care services.

SB 543—By Schupp.

An Act to repeal section 130.011 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session and section 130.011 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to disclosure requirements to the ethics commission, with an effective date and penalty provisions.

SB 544—By Schaefer.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to motorcycle profiling.

SB 545—By Schaefer.

An Act to amend chapter 205, RSMo, by adding thereto one new section relating to investments made by county hospitals.

SB 546—By Schaefer.

An Act to amend chapter 160, RSMo, by adding thereto seven new sections relating to the privacy of student information.

SB 547—By Riddle.

An Act to repeal section 8.177, RSMo, and to enact in lieu thereof two new sections relating to the

capitol police.

SB 548—By Sifton.

An Act to amend chapters 161 and 633, RSMo, by adding thereto two new sections relating to dyslexia.

SB 549—By Onder.

An Act to amend chapter 105, RSMo, by adding thereto six new sections relating to public employee labor organizations.

SB 550—By Dixon.

An Act to repeal section 610.100, RSMo, and to enact in lieu thereof two new sections relating to data in the possession of a law enforcement agency from mobile video recorders.

SB 551—By Hegeman.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to tax credits for donations to community foundations.

SB 552—By Munzlinger.

An Act to repeal section 571.101, RSMo, and to enact in lieu thereof one new section relating to fees charged to applicants for concealed carry permits.

SB 553—By Munzlinger.

An Act to repeal sections 192.300 and 640.710, RSMo, and to enact in lieu thereof two new sections relating to county health ordinances, with a penalty provision.

SB 554—By Munzlinger.

An Act to repeal section 137.115, RSMo, and to enact in lieu thereof one new section relating to property taxes on quarries.

SB 555—By Emery.

An Act to repeal section 451.022, RSMo, and to enact in lieu thereof one new section relating to marriages other than a marriage between a man and a woman, with an emergency clause.

SB 556—By Pearce.

An Act to repeal sections 300.010, 300.411, 304.678, and 307.180, RSMo, and to enact in lieu thereof five new sections relating to bicycle and pedestrian safety, with existing penalty provisions.

SB 557—By LeVota.

An Act to amend chapter 252, RSMo, by adding thereto one new section relating to reimbursement for automobile damage inflicted by deer.

SB 558—By Brown.

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

SB 559—By Chappelle-Nadal, Nasheed and Curls.

An Act to repeal section 590.650, RSMo, and to enact in lieu thereof one new section relating to racial

bias in policing.

SB 560—By Chappelle-Nadal.

An Act to repeal sections 144.020, 144.021, and 144.030, RSMo, section 195.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 195.010 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, and to enact in lieu thereof thirty-three new sections relating to marijuana, with penalty provisions.

SB 561—By Wasson.

An Act to repeal section 541.033, RSMo, and to enact in lieu thereof one new section relating to the county in which certain offenses are prosecuted.

SB 562—By Wieland.

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to the protection of parental rights.

SB 563—By Wieland.

An Act to repeal sections 217.040, 536.010, and 546.720, RSMo, and to enact in lieu thereof three new sections relating to administrative rules, with an effective date for a certain section.

SB 564—By Kehoe.

An Act to repeal section 538.300, RSMo, and to enact in lieu thereof one new section relating to the modification of a jury's verdict by a court in tort actions based on improper health care.

SB 565—By Wallingford.

An Act to repeal sections 452.340 and 452.375, RSMo, and to enact in lieu thereof three new sections relating to child custody orders.

CONCURRENT RESOLUTIONS

Senator Kehoe offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 30

Whereas, the Commerce Clause (Article I, Section 8) of the United States Constitution was designed to ensure free trade between the states by preventing any state from putting a tariff or other restriction on the goods from another state; and

Whereas, the Commerce Clause is an enumerated power granted to Congress and is also a restriction imposed on states from enacting legislation that places an undue burden on interstate commerce; and

Whereas, California voters adopted Proposition 2 to their state constitution in 2008 requiring the state's egg producers to switch to "enriched cages" or non-confinement operations, in a campaign led and funded by the Humane Society of the United States, or HSUS; and

Whereas, HSUS is a national animal rights group that has aggressively pursued an agenda intended to decrease, and eventually eliminate, the public's consumption of animal protein; and

Whereas, in 2010, at the behest of HSUS, the California legislature passed AB 1437 which was signed into law by Governor Jerry Brown, prohibiting the sale of eggs from other states that do not meet the requirements of the 2008 Proposition 2; and

Whereas, together, California Proposition 2 and AB 1437 violate the Commerce Clause of the United States Constitution by preventing free trade amongst the states; and

Whereas, forcing Missouri farmers to utilize "enriched cages" or non-confinement operations in order to do business in California will negatively impact the Missouri economy and food supply:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby condemns, in the strongest possible terms, California's anti-trade actions and the negative impact it has on Missouri farmers, and calls upon the legislature of that state to repeal AB 1437 and urges the voters of California to reconsider and repeal Proposition 2; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the California President Pro Tem of the Senate, the California Senate Minority Leader, the California Speaker of the Assembly, and the California Assembly Minority Leader.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Susan Cole, Independent, as a member of the Missouri Charter Public School Commission; and

Michelle Crockett, as a member of the Children's Trust Fund Board.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SS** for **SCS** for **SB 174**; **SS** for **SCS** for **SB 115**; and **SB 205**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Pearce assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Parson moved that **SB 330** be taken up for perfection, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

At the request of Senator Parson, **SB 330** was placed on the Informal Calendar.

Senator Parson moved that **SB 131**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 131**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 131

An Act to repeal section 304.180, RSMo, and to enact in lieu thereof one new section relating to weight limitations on vehicles hauling certain agricultural products.

Was taken up.

Senator Parson moved that **SCS** for **SB 131** be adopted, which motion prevailed.

On motion of Senator Parson, **SCS** for **SB 131** was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 130**, entitled:

An Act to repeal section 195.015 as enacted by Senate Bills Nos. 215 & 58, eighty-fifth general assembly, first regular session, and to enact in lieu thereof nine new sections relating to a prescription drug monitoring program, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 50**, entitled:

An Act to repeal sections 382.010, 382.040, 382.050, 382.060, 382.080, 382.095, 382.110, 382.160, 382.170, 382.180, 382.190, 382.195, 382.220, and 382.230, RSMo, and to enact in lieu thereof seventeen new sections relating to insurance holding companies, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 32**, entitled:

An Act to repeal sections 1.310 and 143.173, RSMo, and to enact in lieu thereof two new sections relating to the big government get off my back act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

THIRD READING OF SENATE BILLS

SB 205, introduced by Senator Parson, entitled:

An Act to repeal sections 382.010, 382.040, 382.050, 382.060, 382.080, 382.095, 382.110, 382.160, 382.170, 382.180, 382.190, 382.195, 382.220, and 382.230, RSMo, and to enact in lieu thereof eighteen new sections relating to insurance holding companies, with a penalty provision.

Was taken up.

On motion of Senator Parson, **SB 205** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wieland—31	

NAYS—Senator Emery—1

Absent—Senator Wasson—1

Absent with leave—Senator Kehoe—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 82, introduced by Senator Chappelle-Nadal, entitled:

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

Was taken up.

On motion of Senator Chappelle-Nadal, **SB 82** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wieland—31	

NAYS—Senators—None

Absent—Senators

Schupp Wasson—2

Absent with leave—Senator Kehoe—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Chappelle-Nadal, title to the bill was agreed to.

Senator Chappelle-Nadal moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 110, introduced by Senator Schaefer, entitled:

An Act to repeal section 172.300, RSMo, and to enact in lieu thereof one new section relating to the board of curators of the University of Missouri.

Was taken up.

On motion of Senator Schaefer, **SB 110** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators

Holsman Keaveny—2

Absent—Senator Schupp—1

Absent with leave—Senator Kehoe—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 115, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 115

An Act to repeal section 143.801, RSMo, and to enact in lieu thereof one new section relating to limitations on income tax credits or refunds.

Was taken up.

On motion of Senator Kraus, **SS for SCS for SB 115** was read the 3rd time and passed by the following vote:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senator Schupp—1

Absent with leave—Senator Kehoe—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 174**, introduced by Senator Schmitt, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 174

An Act to amend chapter 166, RSMo, by adding thereto ten new sections relating to the Missouri Achieving a Better Life Experience program.

Was taken up.

On motion of Senator Schmitt, **SS** for **SCS** for **SB 174** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senator Schupp—1

Absent with leave—Senator Kehoe—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 68, introduced by Senator Romine, entitled:

An Act to repeal section 349.045, RSMo, and to enact in lieu thereof one new section relating to boards of directors for industrial development corporations.

Was called from the Consent Calendar and taken up.

On motion of Senator Romine, **SB 68** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Keaveny
Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senator Emery—1

Absent—Senators

Holsman Schupp—2

Absent with leave—Senator Kehoe—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 116, introduced by Senator Kraus, entitled:

An Act to repeal section 167.020, RSMo, and to enact in lieu thereof one new section relating to school district residency for children of certain military members, with existing penalty provisions.

Was called from the Consent Calendar and taken up.

On motion of Senator Kraus, **SB 116** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 113, introduced by Senator Dixon, entitled:

An Act to repeal sections 30.750, 173.003, 173.051, 173.236, 173.239, 173.254, 173.260, 173.262, 173.778, and 174.770, RSMo, and to enact in lieu thereof ten new sections relating to references to higher education statutes that were previously repealed.

Was called from the Consent Calendar and taken up.

On motion of Senator Dixon, **SB 113** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 148, introduced by Senator Parson, entitled:

An Act to repeal section 351.120, RSMo, and to enact in lieu thereof one new section relating to corporate registration reports for farm corporations.

Was called from the Consent Calendar and taken up.

On motion of Senator Parson, **SB 148** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wieland—32

NAYS—Senators—None

Absent—Senator Wasson—1

Absent with leave—Senator Kehoe—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 141**, entitled:

An Act to repeal section 275.352, RSMo, and to enact in lieu thereof one new section relating to beef commodity merchandising program fees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 29**, entitled:

An Act to repeal section 442.571, RSMo, and to enact in lieu thereof one new section relating to foreign ownership of agricultural land, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 100**, entitled:

An Act to repeal section 281.065, RSMo, and to enact in lieu thereof one new section relating to certified commercial pesticide applicators.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 233**, entitled:

An Act to repeal section 351.120, RSMo, and to enact in lieu thereof one new section relating to corporate registration report requirements for farming corporations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 424**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 13**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

The Senate observed a moment of silence for State Auditor Tom Schweich.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 245**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 221**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following reports:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 283**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 214**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 59**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 107**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence,

submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 67**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 227**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 37**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 233**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 10**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 119**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Kehoe, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, Senator Richard submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 152**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 211**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 58**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted

the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 131**; **SS** for **SCS** for **SB 122**; and **SCS** for **SBs 1, 22, 49** and **70**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 12**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Senator Pearce assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 434—Small Business, Insurance and Industry.

SB 435—Governmental Accountability and Fiscal Oversight.

SB 436—Jobs, Economic Development and Local Government.

SB 437—Jobs, Economic Development and Local Government.

SB 438—Commerce, Consumer Protection, Energy and the Environment.

SB 439—Judiciary and Civil and Criminal Jurisprudence.

SB 440—Education.

SB 441—Financial and Governmental Organizations and Elections.

SB 442—Ways and Means.

SB 443—Transportation, Infrastructure and Public Safety.

SB 444—Veterans' Affairs and Health.

SB 445—Commerce, Consumer Protection, Energy and the Environment.

SB 446—Transportation, Infrastructure and Public Safety.

SB 447—Judiciary and Civil and Criminal Jurisprudence.

SB 448—Small Business, Insurance and Industry.

SB 449—Small Business, Insurance and Industry.

SB 450—Ways and Means.

SB 451—Judiciary and Civil and Criminal Jurisprudence.

SB 452—Jobs, Economic Development and Local Government.

SB 453—Seniors, Families and Children.

SB 454—Financial and Governmental Organizations and Elections.

SB 455—Small Business, Insurance and Industry.

SB 456—Commerce, Consumer Protection, Energy and the Environment.

SB 457—Financial and Governmental Organizations and Elections.

SB 458—Financial and Governmental Organizations and Elections.

SB 459—Judiciary and Civil and Criminal Jurisprudence.

SB 460—Governmental Accountability and Fiscal Oversight.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SCS** for **SB 122** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **SCR 29** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 566—By Silvey.

An Act to repeal sections 148.380, 197.310, 197.315, 197.330, 374.184, 376.960, 376.962, 376.966, 376.973, 376.975, 376.980, 376.984, 376.986, and 376.987, RSMo, and to enact in lieu thereof twenty-eight new sections relating to transformation of the health care market, with an emergency clause, and an effective date for certain sections.

SB 567—By Chappelle-Nadal, Curls and Nasheed.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to civil actions for the deprivation of rights.

SB 568—By Munzlinger.

An Act to repeal sections 105.040, 115.121, 115.365, and 116.190, RSMo, and to enact in lieu thereof four new sections relating to elections.

RESOLUTIONS

Senator Chappelle-Nadal offered Senate Resolution No. 500, regarding Sophie Bernstein, St. Louis, which was adopted.

Senator Riddle offered Senate Resolution No. 501, regarding Jade McNeil, Troy, which was adopted.

Senator Holsman offered Senate Resolution No. 502, regarding Jared Bajkowski, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Schmitt introduced to the Senate, his son Stephen; and teachers Jane Fairbanks and Tracey Ziemba; organizers Kristen McSwain and Genisis Dixon and fourth grade students from North Glendale Elementary School, Glendale; and Rhiannon O'Connell, Danny McSwain, Matthew Caldwell and Stephen were made honorary pages for the day.

Senator Dempsey introduced to the Senate, Consulate General of Israel to the Midwest, Roey Gilad.

Senator Dempsey introduced to the Senate, the Physician of the Day, David Poggemeier.

On motion of Senator Richard, the Senate adjourned until 3:00 p.m., Monday, March 2, 2015.

SENATE CALENDAR

TWENTY-NINTH DAY—MONDAY, MARCH 2, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 461-Wieland	SB 491-Schatz
SB 462-Schaefer	SB 492-Schatz
SB 463-Dixon	SB 493-Brown
SB 464-Dixon	SB 494-LeVota
SB 465-Schmitt	SB 495-Hegeman
SB 466-Schmitt	SB 496-Hegeman
SB 467-Sifton	SB 497-Hegeman
SB 468-Sifton	SB 498-Wasson
SB 469-Munzlinger	SB 499-Wasson
SB 470-Parson	SB 500-Riddle
SB 471-Schaaf	SB 501-Riddle
SB 472-Schaaf	SB 502-Schmitt
SB 473-Schaaf	SB 503-Wieland
SB 474-Wallingford	SB 504-Wieland
SB 475-Dempsey	SB 505-Wieland
SB 476-Kehoe	SB 506-Riddle
SB 477-Wallingford	SB 507-Silvey
SB 478-Onder	SB 508-Holsman and Riddle
SB 479-Onder	SB 509-Holsman
SB 480-Onder	SB 510-Holsman
SB 481-Onder	SB 511-Schaaf
SB 482-Schupp	SB 512-Schaaf
SB 483-Silvey	SB 513-Parson
SB 484-Wieland	SB 514-Parson
SB 485-Wieland	SB 515-Sater
SB 486-Sifton	SB 516-Sifton
SB 487-Richard	SB 517-Wasson
SB 488-Cunningham	SB 518-Wallingford
SB 489-Cunningham	SB 519-Richard, et al
SB 490-LeVota	SB 520-Kehoe

SB 521-Kehoe	SB 547-Riddle
SB 522-Kehoe	SB 548-Sifton
SB 523-Kraus	SB 549-Onder
SB 524-Cunningham	SB 550-Dixon
SB 525-Brown	SB 551-Hegeman
SB 526-Riddle	SB 552-Munzlinger
SB 527-Keaveny	SB 553-Munzlinger
SB 528-Sater	SB 554-Munzlinger
SB 529-Onder	SB 555-Emery
SB 530-Onder	SB 556-Pearce
SB 531-Emery	SB 557-LeVota
SB 532-Riddle	SB 558-Brown
SB 533-Riddle	SB 559-Chappelle-Nadal, et al
SB 534-Schaaf	SB 560-Chappelle-Nadal
SB 535-Schaaf	SB 561-Wasson
SB 536-Schaaf	SB 562-Wieland
SB 537-Schaaf	SB 563-Wieland
SB 538-Schaaf	SB 564-Kehoe
SB 539-Brown	SB 565-Wallingford
SB 540-Libla	SB 566-Silvey
SB 541-Pearce	SB 567-Chappelle-Nadal, et al
SB 542-Sater	SB 568-Munzlinger
SB 543-Schupp	SJR 13-Schaaf
SB 544-Schaefer	SJR 14-Dixon
SB 545-Schaefer	SJR 15-Cunningham
SB 546-Schaefer	

HOUSE BILLS ON SECOND READING

HB 30-Dugger	HCS for HB 50
HB 92-Miller	HB 32-Hoskins
HB 125-Black	HCS for HB 141
HB 185-Love	HB 29-Dugger
HB 190-Swan	HB 100-Gosen
HCS for HB 42	HB 233-Franklin
HCS for HB 130	

THIRD READING OF SENATE BILLS

SCS for SB 19-Kraus (In Fiscal Oversight)	SCS for SB 131-Parson
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SS for SCS for SB 122-Walsh (In Fiscal Oversight)

SCS for SBs 1, 22, 49 & 70-Pearce

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------|---|
| 1. SB 424-Pearce | 8. SB 37-Romine, with SCS |
| 2. SB 245-Hegeman, with SCS | 9. SB 233-Kehoe, with SCS |
| 3. SB 283-Kehoe | 10. SB 10-Schaaf, with SCS |
| 4. SB 59-Dixon | 11. SB 119-Brown and Chappelle-Nadal,
with SCS |
| 5. SB 107-Sater, with SCS | 12. SB 152-Wallingford, with SCS |
| 6. SB 67-Cunningham, with SCS | 13. SB 58-Dixon |
| 7. SB 227-Emery | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 142-Romine, with SCS & SS for SCS
(pending)

SB 330-Parson

CONSENT CALENDAR

Senate Bills

Reported 2/23

SB 276-Walsh

SB 277-Walsh

Reported 2/26

SB 13-Munzlinger
SB 221-Schatz

SB 214-Pearce
SB 211-Walsh and Dixon

RESOLUTIONS

Reported from Committee

SCR 12-Wasson

HCR 20-Lynch

To be Referred

SCR 30-Kehoe

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-NINTH DAY—MONDAY, MARCH 2, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Rejoice in the Lord always, again I will say, rejoice. Let your gentleness be known to everyone.” (Philippians 4:4-5)

Almighty God, we are grateful for our safe travel and rejoice in You always for Your protection. Lord, we would ask give to us Your compassion so we may look about us and see people as You do and care for them like You who love us equally. And may we express gentleness and compassion to all who grieve as we reach out to others, who are in need. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 26, 2015 was read and approved.

Photographers from the MissouriNet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

Absent—Senators—None

Absent with leave—Senators

Schatz Schmitt—2

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Silvey offered Senate Resolution No. 503, regarding Chiarra Franklin, Liberty, which was adopted.

Senator Brown offered Senate Resolution No. 504, regarding Kolten D. Asberry, Rolla, which was adopted.

Senator Schaaf offered Senate Resolution No. 505, regarding Alex Hall, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 506, regarding the Ninetieth Birthday of Betty Schoenlaub, St. Joseph, which was adopted.

Senator Schaefer offered Senate Resolution No. 507, regarding Christine Carson, which was adopted.

Senator Schaefer offered Senate Resolution No. 508, regarding Janae Judon, which was adopted.

Senator Schaefer offered Senate Resolution No. 509, regarding Hilary Schmidt, which was adopted.

Senator Schaefer offered Senate Resolution No. 510, regarding Tom Laughlin, which was adopted.

Senator Schaefer offered Senate Resolution No. 511, regarding Briana Lynch, which was adopted.

Senator Schaefer offered Senate Resolution No. 512, regarding Adam Kidwell, which was adopted.

Senator Schaefer offered Senate Resolution No. 513, regarding Lindsey Mirielli, which was adopted.

Senator Schaefer offered Senate Resolution No. 514, regarding Samantha Fullington, which was adopted.

Senator Schaefer offered Senate Resolution No. 515, regarding Casey Gibbons, which was adopted.

Senator Kehoe offered Senate Resolution No. 516, regarding Cardinal Glennon Circle 322 of the Daughters of Isabella, Jefferson City, which was adopted.

Senator Walsh offered Senate Resolution No. 517, regarding Onyxx, Hazelwood, which was adopted.

Senator Schaefer offered Senate Resolution No. 518, regarding Neil Cathro, Columbia, which was adopted.

Senator Hegeman offered Senate Resolution No. 519, regarding Elijah Wayne Shafer, Holt, which was adopted.

CONCURRENT RESOLUTIONS

Senator Brown moved that **HCR 20** be taken up for adoption, which motion prevailed.

On motion of Senator Brown, **HCR 20** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Schatz Schmitt—2

Vacancies—None

Senator Kehoe assumed the Chair.

Senator Wasson moved that **SCR 12** be taken up for adoption, which motion prevailed.

On motion of Senator Wasson, **SCR 12** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators

Schatz Schmitt—2

Vacancies—None

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 27, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Robert Hartnett as chairman of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, submitted to you on February 11, 2015. Line 5 should be amended to read:

Anderson, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above addendum to the Committee on Gubernatorial Appointments.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 16**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2015.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Dempsey referred **SCR 30** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Dempsey referred **SCS** for **SBs 1, 22, 49** and **70** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Tuesday, March 3, 2015.

SENATE CALENDAR

THIRTIETH DAY--TUESDAY, MARCH 3, 2015

FORMAL CALENDAR**SECOND READING OF SENATE BILLS**

SB 461-Wieland
SB 462-Schaefer
SB 463-Dixon
SB 464-Dixon
SB 465-Schmitt
SB 466-Schmitt
SB 467-Sifton
SB 468-Sifton
SB 469-Munzlinger
SB 470-Parson
SB 471-Schaaf

SB 472-Schaaf
SB 473-Schaaf
SB 474-Wallingford
SB 475-Dempsey
SB 476-Kehoe
SB 477-Wallingford
SB 478-Onder
SB 479-Onder
SB 480-Onder
SB 481-Onder
SB 482-Schupp

SB 483-Silvey	SB 523-Kraus
SB 484-Wieland	SB 524-Cunningham
SB 485-Wieland	SB 525-Brown
SB 486-Sifton	SB 526-Riddle
SB 487-Richard	SB 527-Keaveny
SB 488-Cunningham	SB 528-Sater
SB 489-Cunningham	SB 529-Onder
SB 490-LeVota	SB 530-Onder
SB 491-Schatz	SB 531-Emery
SB 492-Schatz	SB 532-Riddle
SB 493-Brown	SB 533-Riddle
SB 494-LeVota	SB 534-Schaaf
SB 495-Hegeman	SB 535-Schaaf
SB 496-Hegeman	SB 536-Schaaf
SB 497-Hegeman	SB 537-Schaaf
SB 498-Wasson	SB 538-Schaaf
SB 499-Wasson	SB 539-Brown
SB 500-Riddle	SB 540-Libla
SB 501-Riddle	SB 541-Pearce
SB 502-Schmitt	SB 542-Sater
SB 503-Wieland	SB 543-Schupp
SB 504-Wieland	SB 544-Schaefer
SB 505-Wieland	SB 545-Schaefer
SB 506-Riddle	SB 546-Schaefer
SB 507-Silvey	SB 547-Riddle
SB 508-Holsman and Riddle	SB 548-Sifton
SB 509-Holsman	SB 549-Onder
SB 510-Holsman	SB 550-Dixon
SB 511-Schaaf	SB 551-Hegeman
SB 512-Schaaf	SB 552-Munzlinger
SB 513-Parson	SB 553-Munzlinger
SB 514-Parson	SB 554-Munzlinger
SB 515-Sater	SB 555-Emery
SB 516-Sifton	SB 556-Pearce
SB 517-Wasson	SB 557-LeVota
SB 518-Wallingford	SB 558-Brown
SB 519-Richard, et al	SB 559-Chappelle-Nadal, et al
SB 520-Kehoe	SB 560-Chappelle-Nadal
SB 521-Kehoe	SB 561-Wasson
SB 522-Kehoe	SB 562-Wieland

SB 563-Wieland
 SB 564-Kehoe
 SB 565-Wallingford
 SB 566-Silvey
 SB 567-Chappelle-Nadal, et al

SB 568-Munzlinger
 SJR 13-Schaaf
 SJR 14-Dixon
 SJR 15-Cunningham

HOUSE BILLS ON SECOND READING

HB 30-Dugger
 HB 92-Miller
 HB 125-Black
 HB 185-Love
 HB 190-Swan
 HCS for HB 42
 HCS for HB 130

HCS for HB 50
 HB 32-Hoskins
 HCS for HB 141
 HB 29-Dugger
 HB 100-Gosen
 HB 233-Franklin
 HCS for HB 16

THIRD READING OF SENATE BILLS

SCS for SB 19-Kraus (In Fiscal Oversight)
 SCS for SB 131-Parson
 SS for SCS for SB 122-Walsh
 (In Fiscal Oversight)

SCS for SBs 1, 22, 49 & 70-Pearce
 (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 424-Pearce
2. SB 245-Hegeman, with SCS
3. SB 283-Kehoe
4. SB 59-Dixon
5. SB 107-Sater, with SCS
6. SB 67-Cunningham, with SCS
7. SB 227-Emery

8. SB 37-Romine, with SCS
9. SB 233-Kehoe, with SCS
10. SB 10-Schaaf, with SCS
11. SB 119-Brown and Chappelle-Nadal,
with SCS
12. SB 152-Wallingford, with SCS
13. SB 58-Dixon

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 142-Romine, with SCS & SS for SCS
 (pending)

SB 330-Parson

CONSENT CALENDAR

Senate Bills

Reported 2/23

SB 276-Walsh

SB 277-Walsh

Reported 2/26

SB 13-Munzlinger

SB 214-Pearce

SB 221-Schatz

SB 211-Walsh and Dixon

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Journal of the Senate

FIRST REGULAR SESSION

THIRTIETH DAY—TUESDAY, MARCH 3, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Your mercy, O Lord, extends to the heavens, your faithfulness to the clouds.” (Psalm 36:5)

Mercy is a beautiful word, O Lord, we breathe a sigh of relief just thinking about Your love towards us. Almighty God, You can turn the shadow of death into morning, so help us receive Your Word with believing hearts, being confident in Your promises and have hope to be lifted out of this darkness of grief and eventually into Your presence. We have committed Thomas Schweich to Your loving care and pray for his family and us who need Your comfort and mercy. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 520, regarding Krista Stanford, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 521, regarding Johnathan Cunningham, Versailles, which was adopted.

Senator Kehoe offered Senate Resolution No. 522, regarding Kara Bernskoetter, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 523, regarding Mason Pierce, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 524, regarding Yeoman Chief Petty Officer Michael P. Shea, Waterford, Connecticut, which was adopted.

Senator Onder offered Senate Resolution No. 525, regarding Maya Bryant, which was adopted.

Senator Onder offered Senate Resolution No. 526, regarding Harry Joseph Schallom, Lake Saint Louis, which was adopted.

Senator Onder offered Senate Resolution No. 527, regarding Michael Angelo Lombardo, Cottleville, which was adopted.

Senator Riddle offered Senate Resolution No. 528, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lester E. Runnells, Mexico, which was adopted.

Senator Riddle offered Senate Resolution No. 529, regarding Kara Wolf, which was adopted.

Senator Holsman offered Senate Resolution No. 530, regarding Jessie Fuller, which was adopted.

Senator Holsman offered Senate Resolution No. 531, regarding Alyssa Moncure, which was adopted.

Senator Schaefer offered Senate Resolution No. 532, regarding the 2015 State Champion Rock Bridge High School Swimming and Diving Team, Columbia, which was adopted.

Senator Sifton offered Senate Resolution No. 533, regarding Tony Muyco, which was adopted.

Senator Sifton offered Senate Resolution No. 534, regarding Eric Bowen, which was adopted.

Senator Sifton offered Senate Resolution No. 535, regarding Rob Ladage, which was adopted.

Senator Sifton offered Senate Resolution No. 536, regarding Emily Michalak, which was adopted.

Senator Sifton offered Senate Resolution No. 537, regarding Erika Schreffler, which was adopted.

Senator Sifton offered Senate Resolution No. 538, regarding Eileen Berner, which was adopted.

Senator Sifton offered Senate Resolution No. 539, regarding Julie Cedeno, which was adopted.

Senator Sifton offered Senate Resolution No. 540, regarding Julie Livingstone, which was adopted.

Senator Sifton offered Senate Resolution No. 541, regarding Katie Simpson, which was adopted.

Senators Sifton and Schmitt offered Senate Resolution No. 542, regarding Barb Mikusch, which was

adopted.

Senator Kehoe offered Senate Resolution No. 543, regarding the Eighty-sixth Birthday of Viola Chambers, Vienna, which was adopted.

Senator Munzlinger offered Senate Resolution No. 544, regarding Richard A. Minor, Huntsville, which was adopted.

Senator Kraus offered Senate Resolution No. 545, regarding the Twenty-fifth Anniversary of Summit Christian Academy, Lee's Summit, which was adopted.

Senator Wallingford offered Senate Resolution No. 546, regarding Paul Summers, Cape Girardeau, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Pearce moved that **SB 424** be taken up for perfection, which motion prevailed.

Senator Pearce offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 424, Page 1, In the Title, Line 2 of the title, by striking "160.031" and inserting in lieu thereof the following: "163.031"; and

Further amend said bill and page, Section A, Line 1, by striking "160.031" and inserting in lieu thereof the following: "163.031".

Senator Kehoe assumed the Chair.

Senator Dixon assumed the Chair.

Senator Kehoe assumed the Chair.

At the request of Senator Pearce, **SB 424**, with **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 3, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michael Thomas Waters, Republican, 36257 Highway Z, Orrick, Ray County, Missouri 64077, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2021, and until his successor is duly appointed and qualified; vice, Kenneth H. Suelthaus, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 3, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

The following addendum should be made to the addendum to the appointment of Robert Hartnett as Chairman of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, submitted to you on February 27, 2015. Line 5 should be amended to read:

Anderson, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above appointment and addendum to the Committee on Gubernatorial Appointments.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 41**, entitled:

An Act to repeal section 163.031 as enacted by house bill no. 1689, ninety-seventh general assembly, second regular session, and to enact in lieu thereof one new section relating to state aid for schools.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 179**, entitled:

An Act to repeal section 302.188, RSMo, and to enact in lieu thereof one new section relating to veteran designation on driver's licenses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 533**, entitled:

An Act to repeal section 115.361, RSMo, and to enact in lieu thereof one new section relating to candidate filing deadlines.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 388**, entitled:

An Act to repeal sections 301.010 and 304.180, RSMo, and to enact in lieu thereof two new sections relating to weight limitations for vehicles hauling livestock and agricultural products.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:


March 3, 2015

Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse,

Please be advised that I am appointing Senator Wayne Wallingford to the Joint Committee on Public Employee Retirement. Please don't hesitate to contact my office if you have any questions.

Sincerely,



Tom Dempsey

INTRODUCTIONS OF GUESTS

Senator Emery introduced to the Senate, Paulette Matthews, and her daughters Mackenzie, Ellie, Holly and Jubilee, Cass County; and Holly and Jubilee were made honorary pages.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Wednesday, March 4, 2015.

SENATE CALENDAR

THIRTY-FIRST DAY—WEDNESDAY, MARCH 4, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 461-Wieland
SB 462-Schaefer
SB 463-Dixon

SB 464-Dixon
SB 465-Schmitt
SB 466-Schmitt

SB 467-Sifton	SB 508-Holsman and Riddle
SB 468-Sifton	SB 509-Holsman
SB 469-Munzlinger	SB 510-Holsman
SB 470-Parson	SB 511-Schaaf
SB 471-Schaaf	SB 512-Schaaf
SB 472-Schaaf	SB 513-Parson
SB 473-Schaaf	SB 514-Parson
SB 474-Wallingford	SB 515-Sater
SB 475-Dempsey	SB 516-Sifton
SB 476-Kehoe	SB 517-Wasson
SB 477-Wallingford	SB 518-Wallingford
SB 478-Onder	SB 519-Richard, et al
SB 479-Onder	SB 520-Kehoe
SB 480-Onder	SB 521-Kehoe
SB 481-Onder	SB 522-Kehoe
SB 482-Schupp	SB 523-Kraus
SB 483-Silvey	SB 524-Cunningham
SB 484-Wieland	SB 525-Brown
SB 485-Wieland	SB 526-Riddle
SB 486-Sifton	SB 527-Keaveny
SB 487-Richard	SB 528-Sater
SB 488-Cunningham	SB 529-Onder
SB 489-Cunningham	SB 530-Onder
SB 490-LeVota	SB 531-Emery
SB 491-Schatz	SB 532-Riddle
SB 492-Schatz	SB 533-Riddle
SB 493-Brown	SB 534-Schaaf
SB 494-LeVota	SB 535-Schaaf
SB 495-Hegeman	SB 536-Schaaf
SB 496-Hegeman	SB 537-Schaaf
SB 497-Hegeman	SB 538-Schaaf
SB 498-Wasson	SB 539-Brown
SB 499-Wasson	SB 540-Libla
SB 500-Riddle	SB 541-Pearce
SB 501-Riddle	SB 542-Sater
SB 502-Schmitt	SB 543-Schupp
SB 503-Wieland	SB 544-Schaefer
SB 504-Wieland	SB 545-Schaefer
SB 505-Wieland	SB 546-Schaefer
SB 506-Riddle	SB 547-Riddle
SB 507-Silvey	SB 548-Sifton

SB 549-Onder	SB 561-Wasson
SB 550-Dixon	SB 562-Wieland
SB 551-Hegeman	SB 563-Wieland
SB 552-Munzlinger	SB 564-Kehoe
SB 553-Munzlinger	SB 565-Wallingford
SB 554-Munzlinger	SB 566-Silvey
SB 555-Emery	SB 567-Chappelle-Nadal, et al
SB 556-Pearce	SB 568-Munzlinger
SB 557-LeVota	SJR 13-Schaaf
SB 558-Brown	SJR 14-Dixon
SB 559-Chappelle-Nadal, et al	SJR 15-Cunningham
SB 560-Chappelle-Nadal	

HOUSE BILLS ON SECOND READING

HB 30-Dugger	HCS for HB 141
HB 92-Miller	HB 29-Dugger
HB 125-Black	HB 100-Gosen
HB 185-Love	HB 233-Franklin
HB 190-Swan	HCS for HB 16
HCS for HB 42	HB 41-Wood
HCS for HB 130	HB 179-Chipman
HCS for HB 50	HB 533-Dugger
HB 32-Hoskins	HCS for HB 388

THIRD READING OF SENATE BILLS

SCS for SB 19-Kraus (In Fiscal Oversight)	SCS for SBs 1, 22, 49 & 70-Pearce
SCS for SB 131-Parson	(In Fiscal Oversight)
SS for SCS for SB 122-Walsh	
(In Fiscal Oversight)	

SENATE BILLS FOR PERFECTION

- | | |
|-----------------------------|-------------------------------|
| 1. SB 245-Hegeman, with SCS | 5. SB 67-Cunningham, with SCS |
| 2. SB 283-Kehoe | 6. SB 227-Emery |
| 3. SB 59-Dixon | 7. SB 37-Romine, with SCS |
| 4. SB 107-Sater, with SCS | 8. SB 233-Kehoe, with SCS |

9. SB 10-Schaaf, with SCS
10. SB 119-Brown and Chappelle-Nadal,
with SCS

11. SB 152-Wallingford, with SCS
12. SB 58-Dixon

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 142-Romine, with SCS & SS for SCS
(pending)
SB 330-Parson

SB 424-Pearce, with SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/23

SB 276-Walsh

SB 277-Walsh

Reported 2/26

SB 13-Munzlinger
SB 221-Schatz

SB 214-Pearce
SB 211-Walsh and Dixon

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-FIRST DAY—WEDNESDAY, MARCH 4, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“He judged the cause of the poor and needy; then it was well. Is not this to know me, says the Lord.” (Jeremiah 22:16)

O Lord, during this season we know we are to look at our lives and culture and see if we truly follow the way You desire for us to live. By Your grace, help us lead upright lives, be attentive to the needs of the poor and oppressed, and express love to those around us. As You reach out to us may we reach out to others. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 547, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Louis Smithey, Mexico, which was adopted.

Senator Richard offered Senate Resolution No. 548, regarding Helen Katherine Hunter, which was adopted.

Senator Kehoe offered Senate Resolution No. 549, regarding Raine Ryerson, Versailles, which was adopted.

Senator Cunningham offered Senate Resolution No. 550, regarding Taylor Brooks, Dora, which was adopted.

Senator Richard offered Senate Resolution No. 551, regarding Robert E. Williams, Carthage, which was adopted.

Senator Schupp offered Senate Resolution No. 552, regarding the death of Kennard Lee “Ken” Curtis, which was adopted.

Senator Kraus offered Senate Resolution No. 553, regarding Connor Brown, Class 2 State Champion, Oak Grove High School Panther wrestling team, which was adopted.

Senator Kraus offered Senate Resolution No. 554, regarding Shawn Kavadas, Class 2 State Champion, Oak Grove High School Panther wrestling team, which was adopted.

Senator Kraus offered Senate Resolution No. 555, regarding Landon Cairer, Class 2 State Champion, Oak Grove High School Panther wrestling team, which was adopted.

Senator Kraus offered Senate Resolution No. 556, regarding Dalton Brinegar, Class 2 State Champion, Oak Grove High School Panther wrestling team, which was adopted.

Senator Kraus offered Senate Resolution No. 557, regarding 2014-2015 Class 2 State Champion, Oak Grove High School Panthers wrestling program, which was adopted.

Senator Kraus offered Senate Resolution No. 558, regarding Mavrick Alexander, Class 3 State Champion, Grain Valley High School Eagles wrestling squad, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HCR 32**.

HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 32

WHEREAS, the rightful authority to develop energy policy for Missouri is vested in the Missouri General Assembly under Article III, Section 1 of the Constitution of Missouri; and

WHEREAS, in June 2014, the United States Environmental Protection Agency proposed the “Clean Power Plan” to cut emissions from existing coal-fired power plants; and

WHEREAS, the United States Environmental Protection Agency is seeking to subvert this authority by commanding our state to comply with federal mandates with little or no regard for the impact on our residents and communities; and

WHEREAS, the Environmental Protection Agency is seeking to make fundamental changes to the state's existing energy policy; and

WHEREAS, specifically, the EPA is requiring that Missouri reduce all electricity usage by almost ten percent, increase natural gas combined cycle capacity factors by over forty percent, and increase renewable energy generation by three hundred percent; and

WHEREAS, these requirements could severely damage the economic well-being of our state and our communities by increasing utility bills, increasing unemployment, and potentially reducing the reliability of our electric grid; and

WHEREAS, more than eighty percent of the electricity generated in Missouri is derived from coal-fired plants; and

WHEREAS, the driving forces behind the institution of the EPA's rule has been by states that do not generate electricity from coal and thus would not be impacted in an equal and fair manner; and

WHEREAS, additional concerns have been expressed and discussed at length in the document entitled "Comments of the General Assembly of the State of Missouri" dated December 1, 2014, filed by the House Majority Floor Leader with the Environmental Protection Agency (Docket ID No. EPA-HQ-OAR-2013-0602):

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby adopt the House Majority Floor Leader's filing with the EPA as the state's official position and strongly urge the Environmental Protection Agency to withdraw its Clean Power Plan proposed rule and return the state's energy policy regulation to the rightful authority of the people and elected officials of the state of Missouri; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Missouri Department of Economic Development, Division of Energy to be considered in the development of the comprehensive energy plan described in the Governor's Executive Order 14-06, as well as Gina McCarthy, administrator of the Environmental Protection Agency, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 5**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 149**, entitled:

An Act to repeal section 311.091, RSMo, and to enact in lieu thereof one new section relating to the sale of intoxicating liquor on boats.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 88**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of organ donor recognition day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 361**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of engineer awareness week in Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 391**, entitled:

An Act to repeal sections 379.118 and 379.120, RSMo, and to enact in lieu thereof two new sections relating to automobile insurance notice requirements.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 400**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of epilepsy awareness month.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 402**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to Missouri Safe Boating Week.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 404**, entitled:

An Act to repeal section 9.120, and to enact in lieu thereof one new section relating to Missouri's Peace Officers Memorial Week.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 562**, entitled:

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the regulation of autocycles.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Hegeman moved that **SB 245**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 245**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 245

An Act to repeal section 65.620, RSMo, and to enact in lieu thereof one new section relating to tax collection in counties that have abolished the township form of government, with an emergency clause.

Was taken up.

Senator Hegeman moved that **SCS** for **SB 245** be adopted, which motion prevailed on a standing division vote.

Senator Schmitt assumed the Chair.

On motion of Senator Hegeman, **SCS** for **SB 245** was declared perfected and ordered printed.

At the request of Senator Kehoe, **SB 283** was placed on the Informal Calendar.

At the request of Senator Dixon, **SB 59** was placed on the Informal Calendar.

Senator Sater moved that **SB 107**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 107**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 107

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to opinions issued by boards or commissions under the division of professional registration.

Was taken up.

Senator Sater moved that **SCS** for **SB 107** be adopted.

Senator Pearce offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 107, Page 1, In the Title, Lines 2-3, by striking “opinions issued by boards or commissions” and inserting in lieu thereof the following: “professions regulated”; and

Further amend said bill and page, section 324.023, line 17, by inserting immediately after said line the following:

“345.015. As used in sections 345.010 to 345.080, the following terms mean:

(1) “Audiologist”, a person who is licensed as an audiologist pursuant to sections 345.010 to 345.080 to practice audiology;

(2) “Audiology aide”, a person who is registered as an audiology aide by the board, who does not act independently but works under the direction and supervision of a licensed audiologist. Such person assists the audiologist with activities which require an understanding of audiology but do not require formal training in the relevant academics. To be eligible for registration by the board, each applicant shall submit a registration fee, be of good moral and ethical character; and:

(a) Be at least eighteen years of age;

(b) Furnish evidence of the person’s educational qualifications which shall be at a minimum:

a. Certification of graduation from an accredited high school or its equivalent; and

b. On-the-job training;

(c) Be employed in a setting in which direct and indirect supervision are provided on a regular and systematic basis by a licensed audiologist.

However, the aide shall not administer or interpret hearing screening or diagnostic tests, fit or dispense hearing instruments, make ear impressions, make diagnostic statements, determine case selection, present written reports to anyone other than the supervisor without the signature of the supervisor, make referrals to other professionals or agencies, use a title other than [speech-language pathology aide or clinical] audiology aide, develop or modify treatment plans, discharge clients from treatment or terminate treatment, disclose clinical information, either orally or in writing, to anyone other than the supervising [speech-language pathologist/audiologist] **audiologist**, or perform any procedure for which he or she is not qualified, has not been adequately trained or both;

(3) “Board”, the state board of registration for the healing arts;

(4) [“Clinical fellowship”, the supervised professional employment period following completion of the academic and practicum requirements of an accredited training program as defined in sections 345.010 to 345.080;

(5)] “Commission”, the advisory commission for speech-language pathologists and audiologists;

[(6)] (5) “Hearing instrument” or “hearing aid”, any wearable device or instrument designed for or offered for the purpose of aiding or compensating for impaired human hearing and any parts, attachments or accessories, including ear molds, but excluding batteries, cords, receivers and repairs;

[(7)] (6) “Person”, any individual, organization, or corporate body, except that only individuals may be licensed pursuant to sections 345.010 to 345.080;

[(8)] (7) “Practice of audiology”:

(a) The application of accepted audiologic principles, methods and procedures for the measurement, testing, interpretation, appraisal and prediction related to disorders of the auditory system, balance system

or related structures and systems;

(b) Provides consultation[,] or counseling to the patient, client, student, their family or interested parties;

(c) Provides academic, social and medical referrals when appropriate;

(d) Provides for establishing goals, implementing strategies, methods and techniques, for habilitation, rehabilitation or aural rehabilitation, related to disorders of the auditory system, balance system or related structures and systems;

(e) Provides for involvement in related research, teaching or public education;

(f) Provides for rendering of services or participates in the planning, directing or conducting of programs which are designed to modify audition, communicative, balance or cognitive disorder, which may involve speech and language or education issues;

(g) Provides and interprets behavioral and neurophysiologic measurements of auditory balance, cognitive processing and related functions, including intraoperative monitoring;

(h) Provides involvement in any tasks, procedures, acts or practices that are necessary for evaluation of audition, hearing, training in the use of amplification or assistive listening devices;

(i) Provides selection, assessment, fitting, programming, and dispensing of hearing instruments, assistive listening devices, and other amplification systems;

(j) Provides for taking impressions of the ear, making custom ear molds, ear plugs, swim molds and industrial noise protectors;

(k) Provides assessment of external ear and cerumen management;

(l) Provides advising, fitting, mapping assessment of implantable devices such as cochlear or auditory brain stem devices;

(m) Provides information in noise control and hearing conservation including education, equipment selection, equipment calibration, site evaluation and employee evaluation;

(n) Provides performing basic speech-language screening test;

(o) Provides involvement in social aspects of communication, including challenging behavior and ineffective social skills, lack of communication opportunities;

(p) Provides support and training of family members and other communication partners for the individual with auditory balance, cognitive and communication disorders;

(q) Provides aural rehabilitation and related services to individuals with hearing loss and their families;

(r) Evaluates, collaborates and manages audition problems in the assessment of the central auditory processing disorders and providing intervention for individuals with central auditory processing disorders;

(s) Develops and manages academic and clinical problems in communication sciences and disorders;

(t) Conducts, disseminates and applies research in communication sciences and disorders;

[(9)] (8) “Practice of speech-language pathology”:

(a) Provides screening, identification, assessment, diagnosis, treatment, intervention, including but not limited to prevention, restoration, amelioration and compensation, and follow-up services for disorders of:

a. Speech: articulation, fluency, voice, including respiration, phonation and resonance;

b. Language, involving the parameters of phonology, morphology, syntax, semantics and pragmatic; and including disorders of receptive and expressive communication in oral, written, graphic and manual modalities;

c. Oral, pharyngeal, cervical esophageal and related functions, such as dysphagia, including disorders of swallowing and oral functions for feeding; orofacial myofunctional disorders;

d. Cognitive aspects of communication, including communication disability and other functional disabilities associated with cognitive impairment;

e. Social aspects of communication, including challenging behavior, ineffective social skills, lack of communication opportunities;

(b) Provides consultation and counseling and makes referrals when appropriate;

(c) Trains and supports family members and other communication partners of individuals with speech, voice, language, communication and swallowing disabilities;

(d) Develops and establishes effective augmentative and alternative communication techniques and strategies, including selecting, prescribing and dispensing of augmentative aids and devices; and the training of individuals, their families and other communication partners in their use;

(e) Selects, fits and establishes effective use of appropriate prosthetic/adaptive devices for speaking and swallowing, such as tracheoesophageal valves, electrolarynges, or speaking valves;

(f) Uses instrumental technology to diagnose and treat disorders of communication and swallowing, such as videofluoroscopy, nasendoscopy, ultrasonography and stroboscopy;

(g) Provides aural rehabilitative and related counseling services to individuals with hearing loss and to their families;

(h) Collaborates in the assessment of central auditory processing disorders in cases in which there is evidence of speech, language or other cognitive communication disorders; provides intervention for individuals with central auditory processing disorders;

(i) Conducts pure-tone air conduction hearing screening and screening tympanometry for the purpose of the initial identification or referral;

(j) Enhances speech and language proficiency and communication effectiveness, including but not limited to accent reduction, collaboration with teachers of English as a second language and improvement of voice, performance and singing;

(k) Trains and supervises support personnel;

(l) Develops and manages academic and clinical programs in communication sciences and disorders;

(m) Conducts, disseminates and applies research in communication sciences and disorders;

(n) Measures outcomes of treatment and conducts continuous evaluation of the effectiveness of practices

and programs to improve and maintain quality of services;

[(10)] **(9)** “Speech-language pathologist”, a person who is licensed as a speech-language pathologist pursuant to sections 345.010 to 345.080; who engages in the practice of speech-language pathology as defined in sections 345.010 to 345.080;

[(11)] **(10)** “Speech-language pathology aide”, a person who is registered as a speech-language aide by the board, who does not act independently but works under the direction and supervision of a licensed speech-language pathologist. Such person assists the speech-language pathologist with activities which require an understanding of speech-language pathology but do not require formal training in the relevant academics. To be eligible for registration by the board, each applicant shall submit a registration fee, be of good moral and ethical character; and:

(a) Be at least eighteen years of age;

(b) Furnish evidence of the person's educational qualifications which shall be at a minimum:

a. Certification of graduation from an accredited high school or its equivalent; and

b. On-the-job training;

(c) Be employed in a setting in which direct and indirect supervision is provided on a regular and systematic basis by a licensed speech-language pathologist. However, the aide shall not administer or interpret hearing screening or diagnostic tests, fit or dispense hearing instruments, make ear impressions, make diagnostic statements, determine case selection, present written reports to anyone other than the supervisor without the signature of the supervisor, make referrals to other professionals or agencies, use a title other than speech-language pathology aide [or clinical audiology aide], develop or modify treatment plans, discharge clients from treatment or terminate treatment, disclose clinical information, either orally or in writing, to anyone other than the supervising speech-language [pathologist/audiologist] **pathologist**, or perform any procedure for which he or she is not qualified, has not been adequately trained or both;

[(12)] **(11)** “Speech-language pathology assistant”, a person who is registered as a speech-language pathology assistant by the board, who does not act independently but works under the direction and supervision of a licensed speech-language pathologist **practicing for at least one year or speech-language pathologist practicing under subdivisions (1) or (6) of subsection 1 of section 345.025 for at least one year** and whose activities require both academic and practical training in the field of speech-language pathology although less training than those established by sections 345.010 to 345.080 as necessary for licensing as a speech-language pathologist. To be eligible for registration by the board, each applicant shall submit the registration fee, **supervising speech-language pathologist information if employment is confirmed, if not such information shall be provided after registration**, be of good moral character and furnish evidence of the person's educational qualifications which meet the following:

(a) Hold a bachelor's level degree [in the field of speech-language pathology] from an institution accredited or approved by a regional accrediting body recognized by the United States Department of Education or its equivalent; and

(b) Submit official transcripts from one or more accredited colleges or universities presenting evidence of the completion of bachelor's level course work and [clinical practicum] requirements [equivalent to that required or approved by a regional accrediting body recognized by the United States Department of

Education or its equivalent] **in the field of speech-language pathology as established by the board through rules and regulations;**

(c) Submit proof of completion of the number and type of clinical hours as established by the board through rules and regulations.

345.020. 1. Licensure or registration shall be granted in either speech-language pathology or audiology independently. A person may be licensed or registered in both areas if the person is qualified. Each licensed or registered person shall display the license or certificate prominently in the person's place of practice.

2. No person shall practice or hold himself or herself out as being able to practice speech-language pathology or audiology in this state unless the person is licensed in accordance with the provisions of sections 345.010 to 345.080. Nothing in sections 345.010 to 345.080, however, shall be construed to prevent a qualified person licensed in this state under any other law from engaging in the profession for which the person is licensed, and a licensed physician or surgeon may practice speech-language pathology or audiology without being licensed in accordance with the provisions of sections 345.010 to 345.080.

3. No person shall hold himself or herself out as being a speech-language pathologist in this state unless the person is licensed as provided in sections 345.010 to 345.080. Any person who, in any manner, represents himself or herself as a speech-language pathologist or who uses in connection with such person's name the words or letters: "speech-language pathologist", "speech pathologist", "speech therapy", "speech therapist", "speech clinic", "speech clinician", "S.L.P.", "language specialist", "logopedist" or any other letters, words, abbreviations or insignia, indicating or implying that the person is a speech-language pathologist without a valid existing license is guilty of a class B misdemeanor.

4. No person shall hold himself or herself out as being an audiologist in this state unless the person is licensed as provided in sections 345.010 to 345.080. Any person who, in any manner, represents himself or herself as an audiologist or who uses in connection with such person's name the words: "audiology", "audiologist", "audiological", "hearing clinic", "hearing clinician", "hearing therapist" or any other letters, words, abbreviations or insignia, indicating or implying that the person is an audiologist without a valid existing license is guilty of a class B misdemeanor.

5. No person shall hold himself or herself out as being a speech-language pathology assistant or aide or audiology aide in this state unless the person is registered as provided in sections 345.010 to 345.080.

6. Nothing in sections 345.010 to 345.080 shall prohibit a corporation, partnership, trust, association, or other like organization from engaging in the business of speech-language pathology or audiology without licensure if it employs licensed natural persons in the direct practice of speech-language pathology or audiology. [Any such corporation, partnership, trust, association, or other like organization shall also file with the board a statement, on a form approved by the board, that it submits itself to the rules and regulations of the board and the provisions of sections 345.010 to 345.080 which the board shall deem applicable to it.]

345.025. 1. The provisions of sections 345.010 to 345.080 do not apply to:

(1) The activities, services, and the use of an official title on the part of a person in the employ of a federal agency insofar as such services are part of the duties of the person's office or position with such agency;

(2) The activities and services of certified teachers of the deaf;

(3) The activities and services of a student in speech-language pathology or audiology pursuing a course of study at a university or college that has been approved by its regional accrediting association, or working in a recognized training center, if these activities and services constitute a part of the person's course of study supervised by a licensed speech-language pathologist or audiologist as provided in section 345.050;

(4) The activities and services of physicians and surgeons licensed pursuant to chapter 334;

(5) Audiometric technicians who are certified by the council for accreditation of occupational hearing conservationists when conducting pure tone air conduction audiometric tests for purposes of industrial hearing conservation and comply with requirements of the federal Occupational Safety and Health Administration;

(6) A person who holds a current valid certificate as a speech-language pathologist issued **before January 1, 2016**, by the Missouri department of elementary and secondary education and who is an employee of a public school while providing speech-language pathology services in such school system;

(7) Any person completing the required number and type of clinical hours required by paragraph (c) of subdivision (11) of section 345.015 as long as such person is under the direct supervision of a licensed speech-language pathologist and has not completed more than the number of clinical hours required by rule.

2. No one shall be exempt pursuant to subdivision (1) or (6) of subsection 1 of this section if the person does any work as a speech-language pathologist or audiologist outside of the exempted areas outlined in this section for which a fee or compensation may be paid by the recipient of the service. When college or university clinics charge a fee, supervisors of student clinicians shall be licensed.

345.040. The board shall adopt a seal by which it shall authenticate its proceedings. Copies of its proceedings, records, and acts, when signed by the [secretary] **executive director** and authenticated by the seal, shall be prima facie evidence in all courts of this state.

345.050. 1. To be eligible for licensure by the board by examination, each applicant shall submit the application fee and shall furnish evidence of such person's good moral and ethical character, current competence and shall:

(1) Hold a master's or a doctoral degree from a program accredited by the Council on Academic Accreditation of the American Speech-Language-Hearing Association or other accrediting agency approved by the board in the area in which licensure is sought;

(2) Submit official transcripts from one or more accredited colleges or universities presenting evidence of the completion of course work and clinical practicum requirements equivalent to that required by the Council on Academic Accreditation of the American Speech-Language-Hearing Association or other accrediting agency approved by the board; **and**

(3) [Present written evidence of completion of clinical fellowship as defined in subdivision (4) of section 345.015 from supervisors. The experience required by this subdivision shall follow the completion of the requirements of subdivisions (1) and (2) of this subsection. This period of employment shall be under the direct supervision of a person who is licensed by the state of Missouri in the profession in which the applicant seeks to be licensed. Persons applying with an audiology clinical doctoral degree are exempt from

this provision;

(4)] Pass an examination promulgated or approved by the board. The board shall determine the subject and scope of the examinations.

2. To be eligible for licensure by the board without examination, each applicant shall make application on forms prescribed by the board, submit the application fee and shall be of good moral and ethical character, submit an activity statement and meet one of the following requirements:

(1) The board shall issue a license to any speech-language pathologist or audiologist who is licensed in another jurisdiction and who has had no violations, suspension or revocations of a license to practice speech-language pathology or audiology in any jurisdiction; provided that, such person is licensed in a jurisdiction whose requirements are substantially equal to, or greater than, Missouri at the time the applicant applies for licensure; or

(2) Hold the certificate of clinical competence issued by the American Speech-Language-Hearing Association in the area in which licensure is sought.

345.051. 1. Every person licensed or registered pursuant to the provisions of sections 345.010 to 345.080 shall renew the license **or registration** on or before the renewal date. Such renewal date shall be determined by the board. The application shall be made on a form furnished by the board. The application shall include, but not be limited to, disclosure of the applicant's full name and the applicant's office and residence addresses and the date and number of the applicant's license **or registration**, all final disciplinary actions taken against the applicant by any speech-language-hearing association or society, state, territory[,] **or** federal agency or country and information concerning the applicant's current physical and mental fitness to practice [as a speech-language pathologist or audiologist].

2. A blank form for application for license **or registration** renewal shall be mailed to each person licensed **or registered** in this state at the person's last known office or residence address. The failure to mail the form of application or the failure to receive it does not, however, relieve any person of the duty to renew the license **or registration** and pay the fee required by sections 345.010 to 345.080 for failure to renew the license **or registration**.

3. An applicant for renewal of a license [pursuant to] **or registration under** this section shall:

(1) Submit an amount established by the board; and

(2) Meet any other requirements the board establishes as conditions for license **or registration** renewal, including the demonstration of continued competence to practice the profession for which the license **or registration** is issued. A requirement of continued competence may include, but is not limited to, continuing education, examination, self-evaluation, peer review, performance appraisal or practical simulation.

4. If a license **or registration** is suspended pursuant to section 345.065, the license **or registration** expires on the expiration date as established by the board for all licenses **and registrations** issued pursuant to sections 345.010 to 345.080. Such license **or registration** may be renewed but does not entitle the licensee to engage in the licensed **or registered** activity or in any other conduct or activity which violates the order of judgment by which the license **or registration** was suspended until such license **or registration** has been reinstated.

5. If a license **or registration** is revoked on disciplinary grounds pursuant to section 345.065, the license

or registration expires on the expiration date as established by the board for all licenses **and registrations** issued pursuant to sections 345.010 to 345.080. Such license **or registration** may not be renewed. If a license **or registration** is reinstated after its expiration, the licensee, as a condition of reinstatement, shall pay a reinstatement fee that is equal to the renewal fee in effect on the last regular renewal date immediately preceding the date of reinstatement plus any late fee established by the board.

345.065. 1. The board may refuse to issue any certificate of registration or authority, permit or license required pursuant to sections 345.010 to 345.080 for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621. As an alternative to a refusal to issue or renew any certificate, registration or authority, the board may, at its discretion, issue a license **or registration** which is subject to probation, restriction or limitation to an applicant for licensure **or registration** for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited or restricted license **or registration** to an applicant for licensure **or registration**, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited or restricted license **or registration** seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate of registration or authority, permit or license required by sections 345.010 to 345.080 or any person who has failed to renew or has surrendered the person's certificate of registration or authority, permit or license for any one or any combination of the following causes:

(1) Use of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by sections 345.010 to 345.080;

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to sections 345.010 to 345.080, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued pursuant to sections 345.010 to 345.080 or in obtaining permission to take any examination given or required pursuant to sections 345.010 to 345.080;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by sections 345.010 to

345.080;

(6) Violation of, or assisting or enabling any person to violate, any provision of sections 345.010 to 345.080, or of any lawful rule or regulation adopted pursuant to sections 345.010 to 345.080;

(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by sections 345.010 to 345.080 granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 345.010 to 345.080 who is not registered and currently eligible to practice pursuant to sections 345.010 to 345.080;

(11) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(12) Failure to display a valid certificate or license if so required by sections 345.010 to 345.080 or any rule promulgated pursuant to sections 345.010 to 345.080;

(13) Violation of any professional trust or confidence;

(14) Fraudulently or deceptively using a license, provisional license or registration;

(15) Altering a license, provisional license or registration;

(16) Willfully making or filing a false report or record in the practice of speech-language pathology or audiology;

(17) Using or promoting or causing the use of any misleading, deceiving, improbable or untruthful advertising matter, promotional literature, testimonial, guarantee, warranty, label, brand, insignia or any other representation;

(18) Falsely representing the use or availability of services or advice of a physician;

(19) Misrepresenting the applicant, licensee or holder by using the word doctor or any similar word, abbreviation or symbol if the use is not accurate or if the degree was not obtained from a regionally accredited institution;

(20) Committing any act of dishonorable, immoral or unprofessional conduct while engaging in the practice of speech-language pathology or audiology;

(21) Providing services or promoting the sale of devices, appliances or products to a person who cannot reasonably be expected to benefit from such services, devices, appliances or products.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in

combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years, or may suspend, for a period not to exceed three years, **or restrict or limit the person's ability to practice for an indefinite period of time**, or revoke the license or registration.

4. The board may apply for relief by injunction, without bond, to restrain any person, partnership or corporation from engaging in any act or practice which constitutes an offense pursuant to sections 345.010 to 345.080. The board does not need to allege and prove that there is no adequate remedy at law to obtain an injunction. The members of the board and the advisory commission shall not be individually liable for applying for such relief.

345.080. 1. There is hereby established an "Advisory Commission for Speech-Language Pathologists and Audiologists" which shall guide, advise and make recommendations to the board. The commission shall approve the examination required by section 345.050, and shall assist the board in carrying out the provisions of sections 345.010 to 345.075.

2. After August 28, 1997, the commission shall consist of seven members, one of whom shall be a voting public member, appointed by the board of registration for the healing arts. Each member shall be a citizen of the United States and a resident of this state. Three members of the commission shall be licensed speech-language pathologists and three members of the commission shall be licensed audiologists. The public member shall be at the time of appointment a citizen of the United States; a resident of this state for a period of one year and a registered voter; a person who is not and never was a member of any profession licensed or regulated pursuant to sections 345.010 to 345.080 or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by sections 345.010 to 345.080, or an activity or organization directly related to any profession licensed or regulated pursuant to sections 345.010 to 345.080. Members shall be appointed to serve three-year terms, except as provided in this subsection. Each member of the advisory commission for [speech] **speech-language** pathologists and [clinical] audiologists on August 28, 1995, shall become a member of the advisory commission for speech-language pathologists and [clinical] audiologists and shall continue to serve until the term for which the member was appointed expires. Each member of the advisory commission for speech-language pathologists and [clinical] audiologists on August 28, 1997, shall become a member of the advisory commission for speech-language pathologists and audiologists and shall continue to serve until the term for which the member was appointed expires. The first public member appointed pursuant to this subsection shall be appointed for a two-year term and the one additional member appointed pursuant to this subsection shall be appointed for a full three-year term. No person [shall be eligible for reappointment] who has served as a member of the advisory commission for [speech] **speech-language** pathologists and audiologists [or as a member of the commission as established on August 28, 1995, for a total of six years] **for two consecutive terms may be reappointed to the advisory commission until a lapse of at least two years has occurred following the completion of his or her two consecutive terms**. The membership of the commission shall reflect the differences in levels of education, work experience and geographic residence. For a licensed speech-language pathologist member, the president of the Missouri Speech-Language-Hearing Association in office at the time, and for a licensed audiologist member, the president of the Missouri Academy of Audiologists in office at the time, in consultation with the president of the Missouri Speech-Language-Hearing Association, shall, at least ninety days prior to the expiration of a term of a commission member, other than the public member, or as soon as feasible after a vacancy on the commission otherwise occurs, submit to the **executive** director of the [division of professional

registration] **board** a list of five persons qualified and willing to fill the vacancy in question, with the request and recommendation that the board of registration for the healing arts appoint one of the five persons so listed, and with the list so submitted, the president of the Missouri Speech-Language-Hearing Association or the president of the Missouri Academy of Audiologists in office at the time shall include in his or her letter of transmittal a description of the method by which the names were chosen by that association.

3. Notwithstanding any other provision of law to the contrary, any appointed member of the commission shall receive as compensation an amount established by the director of the division of professional registration not to exceed seventy dollars per day for commission business plus actual and necessary expenses. The director of the division of professional registration shall establish by rule guidelines for payment. All staff for the commission shall be provided by the board of registration for the healing arts.

4. The commission shall hold an annual meeting at which it shall elect from its membership a chairman and secretary. The commission may hold such additional meetings as may be required in the performance of its duties, provided that notice of every meeting shall be given to each member at least ten days prior to the date of the meeting. A quorum of the commission shall consist of a majority of its members.

5. The board of registration for the healing arts may remove a commission member for misconduct, incompetency or neglect of the member's official duties after giving the member written notice of the charges against such member and an opportunity to be heard thereon.

[345.022. 1. Any person in the person's clinical fellowship as defined in sections 345.010 to 345.080 shall hold a provisional license to practice speech-language pathology or audiology. The board may issue a provisional license to an applicant who:

(1) Has met the requirements for practicum and academic requirements from an accredited training program as defined in sections 345.010 to 345.080;

(2) Submits an application to the board on a form prescribed by the board. Such form shall include a plan for the content and supervision of the clinical fellowship, as well as evidence of good moral and ethical character; and

(3) Submits to the board an application fee, as set by the board, for the provisional license.

2. A provisional license is effective for one year and may be extended for an additional twelve months only for purposes of completing the postgraduate clinical experience portion of the clinical fellowship; provided that, the applicant has passed the national examination and shall hold a master's degree from an approved training program in his or her area of application.

3. Within twelve months of issuance of the provisional license, the applicant shall pass an examination promulgated or approved by the board.

4. Within twelve months of issuance of a provisional license, the applicant shall complete the master's or doctoral degree from a program accredited by the Council on Academic Accreditation of the American Speech-Language-Hearing Association or other accrediting agency approved by the board in the area in which licensure is sought.]"'; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Sater moved that **SCS** for **SB 107**, as amended, be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **SB 107**, as amended, was declared perfected and ordered printed.

Senator Kehoe moved that **SB 283** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Kehoe, **SB 283** was declared perfected and ordered printed.

Senator Cunningham moved that **SB 67**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 67**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 67

An Act to amend chapter 488, RSMo, by adding thereto one new section relating to court costs.

Was taken up.

Senator Cunningham moved that **SCS** for **SB 67** be adopted.

Senator Cunningham offered **SS** for **SCS** for **SB 67**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 67

An Act to amend chapter 488, RSMo, by adding thereto one new section relating to court costs.

Senator Cunningham moved that **SS** for **SCS** for **SB 67** be adopted.

Senator Emery offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 67, Page 1, Section 488.2257, Lines 7-12, by striking all of said lines and inserting in lieu thereof the following: “**the state in all civil and criminal**”.

Senator Emery moved that the above amendment be adopted, which motion failed.

Senator Cunningham moved that **SS** for **SCS** for **SB 67** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SS** for **SCS** for **SB 67** was declared perfected and ordered printed.

Senator Emery moved that **SB 227** be taken up for perfection, which motion prevailed.

Senator Emery offered **SS** for **SB 227**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 227

An Act to repeal section 490.715, RSMo, and to enact in lieu thereof one new section relating to evidence for the cost of medical treatment.

Senator Emery moved that **SS** for **SB 227** be adopted.

Senator Pearce assumed the Chair.

At the request of Senator Emery, **SB 227**, with **SS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 283** and **SCS** for **SB 245**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

COMMUNICATIONS

March 2, 2015

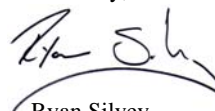
The Honorable Tom Dempsey
State Capitol - Room 326
Jefferson City, MO 65101

Dear Sen. Dempsey:

Thank you for the recent appointment to the Joint Committee on Administrative Rules. However, at this time I would also like to respectfully be removed as a member of the Progress and Development Committee.

Thank you,

Sincerely,



Ryan Silvey
State Senator

INTRODUCTIONS OF GUESTS

Senator Holsman introduced to the Senate, his cousin, Ryan Myers; and Brandon Kuhl, and his father, Paul, Home Schoolers from Raymore; and Ryan and Brandon were made honorary pages.

Senator Schupp introduced to the Senate, former State Representative, Judge Rachel Bringer, Palmyra.

Senator Hegeman introduced to the Senate, former State Representative Casey Guernsey.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-SECOND DAY—THURSDAY, MARCH 5, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 461-Wieland	SB 490-LeVota
SB 462-Schaefer	SB 491-Schatz
SB 463-Dixon	SB 492-Schatz
SB 464-Dixon	SB 493-Brown
SB 465-Schmitt	SB 494-LeVota
SB 466-Schmitt	SB 495-Hegeman
SB 467-Sifton	SB 496-Hegeman
SB 468-Sifton	SB 497-Hegeman
SB 469-Munzlinger	SB 498-Wasson
SB 470-Parson	SB 499-Wasson
SB 471-Schaaf	SB 500-Riddle
SB 472-Schaaf	SB 501-Riddle
SB 473-Schaaf	SB 502-Schmitt
SB 474-Wallingford	SB 503-Wieland
SB 475-Dempsey	SB 504-Wieland
SB 476-Kehoe	SB 505-Wieland
SB 477-Wallingford	SB 506-Riddle
SB 478-Onder	SB 507-Silvey
SB 479-Onder	SB 508-Holsman and Riddle
SB 480-Onder	SB 509-Holsman
SB 481-Onder	SB 510-Holsman
SB 482-Schupp	SB 511-Schaaf
SB 483-Silvey	SB 512-Schaaf
SB 484-Wieland	SB 513-Parson
SB 485-Wieland	SB 514-Parson
SB 486-Sifton	SB 515-Sater
SB 487-Richard	SB 516-Sifton
SB 488-Cunningham	SB 517-Wasson
SB 489-Cunningham	SB 518-Wallingford

SB 519-Richard, et al	SB 547-Riddle
SB 520-Kehoe	SB 548-Sifton
SB 521-Kehoe	SB 549-Onder
SB 522-Kehoe	SB 550-Dixon
SB 523-Kraus	SB 551-Hegeman
SB 524-Cunningham	SB 552-Munzlinger
SB 525-Brown	SB 553-Munzlinger
SB 526-Riddle	SB 554-Munzlinger
SB 527-Keaveny	SB 555-Emery
SB 528-Sater	SB 556-Pearce
SB 529-Onder	SB 557-LeVota
SB 530-Onder	SB 558-Brown
SB 531-Emery	SB 559-Chappelle-Nadal, et al
SB 532-Riddle	SB 560-Chappelle-Nadal
SB 533-Riddle	SB 561-Wasson
SB 534-Schaaf	SB 562-Wieland
SB 535-Schaaf	SB 563-Wieland
SB 536-Schaaf	SB 564-Kehoe
SB 537-Schaaf	SB 565-Wallingford
SB 538-Schaaf	SB 566-Silvey
SB 539-Brown	SB 567-Chappelle-Nadal, et al
SB 540-Libla	SB 568-Munzlinger
SB 541-Pearce	SJR 13-Schaaf
SB 542-Sater	SJR 14-Dixon
SB 543-Schupp	SJR 15-Cunningham
SB 544-Schaefer	
SB 545-Schaefer	
SB 546-Schaefer	

HOUSE BILLS ON SECOND READING

HB 30-Dugger	HCS for HB 141
HB 92-Miller	HB 29-Dugger
HB 125-Black	HB 100-Gosen
HB 185-Love	HB 233-Franklin
HB 190-Swan	HCS for HB 16
HCS for HB 42	HB 41-Wood
HCS for HB 130	HB 179-Chipman
HCS for HB 50	HB 533-Dugger
HB 32-Hoskins	HCS for HB 388

HB 149-Fitzpatrick
HB 88-Walton Gray
HB 361-Spencer
HB 391-Gosen
HB 400-Peters
HB 402-Phillips

HB 404-Phillips
HB 562-Davis

THIRD READING OF SENATE BILLS

SCS for SB 19-Kraus (In Fiscal Oversight)
SCS for SB 131-Parson
SS for SCS for SB 122-Walsh (In
Fiscal Oversight)

SCS for SBs 1, 22, 49 & 70-Pearce (In
Fiscal Oversight)
SB 283-Kehoe
SCS for SB 245-Hegeman

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS
SB 233-Kehoe, with SCS
SB 10-Schaaf, with SCS

SB 119-Brown and Chappelle-Nadal, with SCS
SB 152-Wallingford, with SCS
SB 58-Dixon

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 59-Dixon
SB 142-Romine, with SCS & SS for SCS
(pending)

SB 227-Emery, with SS (pending)
SB 330-Parson
SB 424-Pearce, with SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/23

SB 276-Walsh

SB 277-Walsh

Reported 2/26

SB 13-Munzlinger
SB 221-Schatz
SB 214-Pearce
SB 211-Walsh and Dixon

RESOLUTIONS

To be Referred

HCS for HCR 32

✓

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-SECOND DAY—THURSDAY, MARCH 5, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Where can I go from your spirit? Or where can I flee from your presence? If I ascend to heaven you are there; if I make my bed in Sheol, you are there.” (Psalm 139:7-8)

Gracious God, as we finish up our work and head out this day, we are mindful that You are everywhere. We are comforted to be held in Your hand as we travel about this day. You are with us as we share in the various joys and sorrows of life, knowing even in the unexpected times You are there. Open our eyes to see and deeply appreciate what we have in You, our God. So, we give thanks that we cannot wander so far in any direction that You are not already there. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Wasson

Wieland—33

Absent—Senators—None

Absent with leave—Senator Walsh—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 559, regarding Sara Given, Mexico, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following report, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the following appointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

David W. Murphy, Democrat, as a member of the Conservation Commission.

Senator Dempsey moved that the committee report be adopted, and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Senator Kraus assumed the Chair.

THIRD READING OF SENATE BILLS

SCS for **SB 131**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 131**

An Act to repeal section 304.180, RSMo, and to enact in lieu thereof one new section relating to weight limitations on vehicles hauling certain agricultural products.

Was taken up by Senator Parson.

On motion of Senator Parson, **SCS** for **SB 131** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Walsh—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 283, introduced by Senator Kehoe, entitled:

An Act to amend chapter 70, RSMo, by adding thereto one new section relating to the Missouri local government employees' retirement system.

Was taken up.

On motion of Senator Kehoe, **SB 283** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Walsh—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 245**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 245

An Act to repeal section 65.620, RSMo, and to enact in lieu thereof one new section relating to tax collection in counties that have abolished the township form of government, with an emergency clause.

Was taken up by Senator Hegeman.

On motion of Senator Hegeman, **SCS** for **SB 245** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf

Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Wasson
Wieland—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Walsh—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Wasson
Wieland—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Walsh—1

Vacancies—None

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 13, introduced by Senator Munzlinger, entitled:

An Act to repeal section 178.550, RSMo, and to enact in lieu thereof one new section relating to the career and technical education advisory council.

Was called from the Consent Calendar and taken up.

On motion of Senator Munzlinger, **SB 13** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson	Wieland—31	

NAYS—Senators

Schupp Sifton—2

Absent—Senators—None

Absent with leave—Senator Walsh—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 221, introduced by Senator Schatz, entitled:

An Act to repeal section 72.401, RSMo, and to enact in lieu thereof one new section relating to annexation in certain counties that have established a boundary commission.

Was called from the Consent Calendar and taken up.

On motion of Senator Schatz, **SB 221** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Walsh—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 214, introduced by Senator Pearce, entitled:

An Act to repeal sections 430.080 and 430.135, RSMo, and to enact in lieu thereof two new sections relating to liens on chattel.

Was called from the Consent Calendar and taken up.

On motion of Senator Pearce, **SB 214** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Walsh—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 5, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Major J. Bret Johnson, 307 Madeline's Park Circle, Jefferson City, Cole County, Missouri 65109, as Superintendent of the Missouri State Highway Patrol, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above appointment to the Committee on Gubernatorial Appointments.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 111**, entitled:

An Act to repeal section 144.044, RSMo, and to enact in lieu thereof one new section relating to sales tax on manufactured homes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 112**, entitled:

An Act to repeal section 324.001, RSMo, and to enact in lieu thereof one new section relating to health care workforce analysis.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 777**, entitled:

An Act to repeal sections 105.145, 238.222, and 238.272, RSMo, and to enact in lieu thereof three new sections relating to transportation development districts, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 384**, entitled:

An Act to amend chapter 32, RSMo, by adding thereto one new section relating to tax amnesty, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 468**, entitled:

An Act to repeal section 135.155, RSMo, and to enact in lieu thereof one new section relating to tax credits for new or expanded business facilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 224**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 326**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following report:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 270**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 56**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS No. 2 for HB 63**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 201**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 216**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 164**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 239**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 282**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SJR 7**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 256**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 156**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 166**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 231**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 278**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

REFERRALS

President Pro Tem Dempsey referred **HCS** for **HCR 32** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

Senator Kraus assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 67** and **SCS** for **SB 107**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 461—Jobs, Economic Development and Local Government.

SB 462—Ways and Means.

SB 463—Ways and Means.

SB 464—Judiciary and Civil and Criminal Jurisprudence.

SB 465—Education.

SB 466—Veterans' Affairs and Health.

SB 467—Judiciary and Civil and Criminal Jurisprudence.

SB 468—Education.

SB 469—Agriculture, Food Production and Outdoor Resources.

SB 470—Small Business, Insurance and Industry.

SB 471—Ways and Means.

SB 472—Financial and Governmental Organizations and Elections.

SB 473—Education.

SB 474—Transportation, Infrastructure and Public Safety.

SB 475—Rules, Joint Rules, Resolutions and Ethics.

SB 476—Commerce, Consumer Protection, Energy and the Environment.

SB 477—Small Business, Insurance and Industry.

SB 478—Veterans' Affairs and Health.

SB 479—Financial and Governmental Organizations and Elections.

SB 480—Ways and Means.

SB 481—Judiciary and Civil and Criminal Jurisprudence.

SB 482—Financial and Governmental Organizations and Elections.

SB 483—Transportation, Infrastructure and Public Safety.

SB 484—Ways and Means.

SB 485—Small Business, Insurance and Industry.

SB 486—Financial and Governmental Organizations and Elections.

SB 487—Small Business, Insurance and Industry.

SB 488—Financial and Governmental Organizations and Elections.

SB 489—Small Business, Insurance and Industry.

SB 490—Veterans' Affairs and Health.

SB 491—Commerce, Consumer Protection, Energy and the Environment.

SB 492—Small Business, Insurance and Industry.

SB 493—Veterans' Affairs and Health.

SB 494—Veterans' Affairs and Health.

SB 495—Financial and Governmental Organizations and Elections.

SB 496—Veterans' Affairs and Health.

SB 497—Jobs, Economic Development and Local Government.

SB 498—Financial and Governmental Organizations and Elections.

SB 499—Financial and Governmental Organizations and Elections.

SB 500—Agriculture, Food Production and Outdoor Resources.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 30—Financial and Governmental Organizations and Elections.

HB 92—Commerce, Consumer Protection, Energy and the Environment.

HB 125—Jobs, Economic Development and Local Government.

HB 185—Jobs, Economic Development and Local Government.

HB 190—Veterans' Affairs and Health.

HCS for HB 42—Education.

HCS for HB 16—Appropriations.

RESOLUTIONS

Senator Curls offered Senate Resolution No. 560, regarding Ravyn Davis-Green, which was adopted.

Senator Curls offered Senate Resolution No. 561, regarding Dr. Larry Weible, which was adopted.

Senator Curls offered Senate Resolution No. 562, regarding Yasmin Mohamed, which was adopted.

Senator Curls offered Senate Resolution No. 563, regarding Ishmael Andraez, which was adopted.

Senator Curls offered Senate Resolution No. 564, regarding Alan Cordon, which was adopted.

Senator Curls offered Senate Resolution No. 565, regarding Abigail Sizemore, which was adopted.

Senator Curls offered Senate Resolution No. 566, regarding Omar Abdullah, which was adopted.

Senator Kehoe offered Senate Resolution No. 567, regarding the Helias Catholic High School dance program, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Hegeman introduced to the Senate, Ryan Messner, Stanberry.

Senator Richard introduced to the Senate, Lauren Miller, Fairview; and Lauren was made an honorary page.

Senator Emery introduced to the Senate, Cathy Thomas, and her children, Aiden, Ian and Hanna; and Aiden and Ian were made honorary pages.

Senator Pearce introduced to the Senate, Scott Hartwig, Marshall.

Senator Riddle introduced to the Senate, teacher, Courtney Smith, Principal Sister Sue, parents and twenty eighth grade students from Holy Rosary Catholic School, Monroe City.

Senator Kehoe introduced to the Senate, teachers, Cindy Wieberg and Rachel Ratcliff; Superintendent Jerry Hobbs, parents and fourth grade students from Russellville Elementary School.

Senator Chappelle-Nadal introduced to the Senate, students from Flynn Park Elementary School, St. Louis.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, March 9, 2015.

SENATE CALENDAR

THIRTY-THIRD DAY—MONDAY, MARCH 9, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 501-Riddle	SB 531-Emery
SB 502-Schmitt	SB 532-Riddle
SB 503-Wieland	SB 533-Riddle
SB 504-Wieland	SB 534-Schaaf
SB 505-Wieland	SB 535-Schaaf
SB 506-Riddle	SB 536-Schaaf
SB 507-Silvey	SB 537-Schaaf
SB 508-Holsman and Riddle	SB 538-Schaaf
SB 509-Holsman	SB 539-Brown
SB 510-Holsman	SB 540-Libla
SB 511-Schaaf	SB 541-Pearce
SB 512-Schaaf	SB 542-Sater
SB 513-Parson	SB 543-Schupp
SB 514-Parson	SB 544-Schaefer
SB 515-Sater	SB 545-Schaefer
SB 516-Sifton	SB 546-Schaefer
SB 517-Wasson	SB 547-Riddle
SB 518-Wallingford	SB 548-Sifton
SB 519-Richard, et al	SB 549-Onder
SB 520-Kehoe	SB 550-Dixon
SB 521-Kehoe	SB 551-Hegeman
SB 522-Kehoe	SB 552-Munzlinger
SB 523-Kraus	SB 553-Munzlinger
SB 524-Cunningham	SB 554-Munzlinger
SB 525-Brown	SB 555-Emery
SB 526-Riddle	SB 556-Pearce
SB 527-Keaveny	SB 557-LeVota
SB 528-Sater	SB 558-Brown
SB 529-Onder	SB 559-Chappelle-Nadal, et al
SB 530-Onder	SB 560-Chappelle-Nadal

SB 561-Wasson
 SB 562-Wieland
 SB 563-Wieland
 SB 564-Kehoe
 SB 565-Wallingford
 SB 566-Silvey

SB 567-Chappelle-Nadal, et al
 SB 568-Munzlinger
 SJR 13-Schaaf
 SJR 14-Dixon
 SJR 15-Cunningham

HOUSE BILLS ON SECOND READING

HCS for HB 130
 HCS for HB 50
 HB 32-Hoskins
 HCS for HB 141
 HB 29-Dugger
 HB 100-Gosen
 HB 233-Franklin
 HB 41-Wood
 HB 179-Chipman
 HB 533-Dugger
 HCS for HB 388
 HB 149-Fitzpatrick

HB 88-Walton Gray
 HB 361-Spencer
 HB 391-Gosen
 HB 400-Peters
 HB 402-Phillips
 HB 404-Phillips
 HB 562-Davis
 HB 111-Crawford
 HCS for HB 112
 HCS for HB 777
 HB 384-Flanigan
 HB 468-Berry

THIRD READING OF SENATE BILLS

SCS for SB 19-Kraus (In Fiscal Oversight)
 SS for SCS for SB 122-Walsh
 (In Fiscal Oversight)
 SCS for SBs 1, 22, 49 & 70-Pearce
 (In Fiscal Oversight)

SS for SCS for SB 67-Cunningham
 SCS for SB 107-Sater

SENATE BILLS FOR PERFECTION

1. SB 37-Romine, with SCS
2. SB 233-Kehoe, with SCS
3. SB 10-Schaaf, with SCS
4. SB 119-Brown and Chappelle-Nadal,
with SCS
5. SB 152-Wallingford, with SCS
6. SB 58-Dixon
7. SB 224-Romine and Dixon, with SCS

8. SB 326-Sater, with SCS
9. SB 56-Munzlinger, with SCS
10. SB 201-Dixon
11. SB 216-Keaveny
12. SB 164-Sifton
13. SB 239-Brown
14. SJR 7-Richard and Wallingford
15. SB 256-Sater, et al

HOUSE BILLS ON THIRD READING

HCS#2 for HB 63, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 59-Dixon

SB 142-Romine, with SCS & SS for SCS
(pending)

SB 227-Emery, with SS (pending)

SB 330-Parson

SB 424-Pearce, with SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/23

SB 276-Walsh

SB 277-Walsh

Reported 2/26

SB 211-Walsh and Dixon

Reported 3/5

SB 270-Nasheed, with SCS

SB 282-Parson

SB 156-Nasheed

SB 166-Nasheed

SB 231-Kehoe

SB 278-Schatz, with SCS

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-THIRD DAY—MONDAY, MARCH 9, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“But the wisdom that is from above is first pure, then peaceable, gentle, and willing to yield, full of mercy and good fruits, without partiality, or hypocrisy.” (James 3:17)

Gracious God, help us to remember that we are called to focus our energies on what is important, cultivating what is gentle and having a quiet spirit that is precious in Your sight. We come together this day to do what we can that is helpful and needed, and together we can accomplish much. Having done all that we can, we leave the rest to You, trusting that You will bring all to fruition. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, March 5, 2015 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	LeVota	Riddle—3
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Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 568, regarding the death of Shirley L. Thomas, Gary, Indiana, which was adopted.

Senator Dixon offered Senate Resolution No. 569, regarding Lieutenant Gregory Wheelen, Springfield, which was adopted.

Senator Wasson offered Senate Resolution No. 570, regarding Nicole Shah, Springfield, which was adopted.

Senator Libla offered Senate Resolution No. 571, regarding Emily Sullenger, which was adopted.

Senator Holsman offered Senate Resolution No. 572, regarding David A. Leone, which was adopted.

On behalf of Senator Riddle, Senator Richard offered Senate Resolution No. 573, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Robert Pugh, Mexico, which was adopted.

On behalf of Senator Riddle, Senator Richard offered Senate Resolution No. 574, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Ed McCurdy, Wellsville, which was adopted.

Senator Libla offered Senate Resolution No. 575, regarding Richard Deason, Poplar Bluff, which was adopted.

Senator Hegeman offered Senate Resolution No. 576, regarding Class 1 State Champion Austin Ward, South Harrison High School Wrestling Team, which was adopted.

Senator Hegeman offered Senate Resolution No. 577, regarding Class 1 State Champion Michael Stanley, Gallatin High School Wrestling Team, which was adopted.

Senator Hegeman offered Senate Resolution No. 578, regarding Class 2 State Champion Luke Sachs, Smithville High School, which was adopted.

Senator Hegeman offered Senate Resolution No. 579, regarding Class 2 State Champion Alex Rivera, Smithville High School, which was adopted.

Senator Hegeman offered Senate Resolution No. 580, regarding Class 1 State Champion Jesse Bundy, Gallatin High School Wrestling Team, which was adopted.

Senators Hegeman, Emery, Schmitt, Keaveny, Parson, Richard, Kehoe, Onder, Wallingford, Sater, Cunningham, LeVota, Schatz, Dixon, Brown, Riddle, Wasson, Romine, Schaefer, Wieland, Sifton, Libla, Pearce, Holsman and Kraus offered Senate Resolution No. 581, regarding the One Hundredth Anniversary of the Missouri Farm Bureau Federation, which was adopted.

Senator Munzlinger offered Senate Resolution No. 582, regarding Kobbe Short, Bethel, which was adopted.

CONCURRENT RESOLUTIONS

Senator Cunningham offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 31

Whereas, all state governments and the federal government endorse educational excellence and student achievement as essential to a democratic society; and

Whereas, the Congress of the United States enacted Title VIII of the Elementary and Secondary Education Act of 1965 (Impact Aid law)

in order to provide funding for local school districts that have lower property tax revenues due to tax-exempt federal lands; and

Whereas, the Congress of the United States enacted the Secure Rural Schools and Community Self-Determination Act of 2000 (Secure Rural Schools Act) in order to supplement funding for schools; and

Whereas, funding under the Impact Aid law and the Secure Rural Schools Act is critical for local school districts, which rely on state and local property taxes as a significant source of their funding; and

Whereas, tax-exempt federal lands can greatly reduce the state and local property taxes that support local school districts; and

Whereas, funding to local school districts in Missouri under the Secure Rural Schools Act totaled over three million dollars for the 2013-14 school year; and

Whereas, the Secure Rural Schools program expired on September 30, 2014. The absence of reauthorization of the Secure Rural Schools Act has resulted in significantly decreased payments to states; and

Whereas, the 114th Congress has not yet ensured continuation of funding under the Impact Aid law by reauthorization of the Elementary and Secondary Education Act; and

Whereas, the children of Missouri should not suffer due to federal tax immunities that are distributed in a random and unequal fashion among the local school districts in Missouri; and

Whereas, state and local school districts should retain sufficient educational funding to achieve both federal and state educational goals and mandates; and

Whereas, a sudden loss of funds would significantly damage the ability of state and local school districts to achieve both federal and state educational goals and mandates:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby encourage the 114th Congress of the United States to reinstate the Secure Rural Schools program at its previous funding levels and maintain funding under the Impact Aid law; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

Senator Hegeman offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 32

Whereas, the profession of lineworker is steeped in personal, family, and professional tradition; and

Whereas, lineworkers are often first responders during storms and other catastrophic events, working to make the scene safe for other public safety heroes; and

Whereas, lineworkers work with thousands of volts of electricity high atop power lines twenty-four hours a day, 365 days a year, to keep electricity flowing; and

Whereas, lineworkers often work under dangerous conditions far from their families to construct and maintain the energy infrastructure of this state; and

Whereas, lineworkers put their lives on the line every day with little recognition from the community regarding the danger of their work; and

Whereas, April 13, 2015 would be an appropriate date to designate as Missouri Lineworker Appreciation Day:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby recognize April 13, 2015 as "Missouri Lineworker Appreciation Day" in support of the contributions of the brave men and women who keep the power on and protecting public safety; and

Be It Further Resolved that the General Assembly encourages the citizens of this state to devote some portion of Missouri lineworker appreciation day to recognition and contemplation of the sacrifices undertaken by lineworkers in performance of their duties and to observe the day with appropriate events and activities.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 118**, entitled:

An Act to repeal sections 1.010 and 538.210, RSMo, and to enact in lieu thereof two new sections relating to claims arising out of the rendering of or failure to render health care services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Romine moved that **SB 37**, with **SCS**, be taken up for perfection, which motion prevailed. **SCS** for **SB 37**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 37

An Act to amend chapters 511 and 514, RSMo, by adding thereto five new sections relating to settlement offers.

Was taken up.

Senator Romine moved that **SCS** for **SB 37** be adopted.

Senator Pearce assumed the Chair.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 37, Page 2, Section 511.804, Line 10, by striking “or” at the end of said line; and further amend line 11, by inserting immediately after “court” the following: “; **or**

(7) Any case where a jury awards punitive damages”; and

Further amend said bill and page, section 511.808, line 6, by striking “sixty”; and inserting in lieu thereof the following: “**ninety**”; and

Further amend said bill, page 4, section 511.812, line 19, by inserting at the end of said line the following: “**and**”; and further amend lines 22-23, by striking all of said lines.

Senator Keaveny moved that the above amendment be adopted.

Senator Keaveny offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 37, Page 1, Line 7, by inserting after the word “and” the following: “further amend said bill and section, page 3, line 23, by striking the word “sixty” and inserting in lieu thereof the following: “**ninety**”; and”.

Senator Keaveny moved that the above amendment be adopted.

At the request of Senator Keaveny, the above amendment was withdrawn.

Senator Schaefer offered **SA 2** to **SA 1**:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 37, Page 1, Line 1, by inserting after “section 511.804,” the following: “line 6, by striking all of said line; and further renumber the remaining subdivisions accordingly; and further amend”.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 3** to **SA 1**, which was read:

SENATE AMENDMENT NO. 3 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 37, Page 1, Line 7, by inserting after the word “and” the following: “further amend said bill and section, page 3, line 23, by striking the word “sixty” and inserting in lieu thereof the following: “**ninety**”; and”.

Senator Keaveny moved that the above amendment be adopted, which motion failed on a standing division vote.

SA 1, as amended, was again taken up.

At the request of Senator Romine, **SB 37**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

INTRODUCTIONS OF GUESTS

Senator Schatz introduced to the Senate, students from St. Francis Borgia, Washington.

Senator Emery introduced to the Senate, Aaron Creed, his mother, LuAnn, and his son, Anthony, Springfield; and Anthony was made an honorary page.

Senator Holsman introduced to the Senate, Dr. Jennifer Williams, Nixa.

Senator Wasson introduced to the Senate, his wife, Retha, Nixa.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-FOURTH DAY—TUESDAY, MARCH 10, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 501-Riddle
SB 502-Schmitt

SB 503-Wieland
SB 504-Wieland

SB 505-Wieland	SB 539-Brown
SB 506-Riddle	SB 540-Libla
SB 507-Silvey	SB 541-Pearce
SB 508-Holsman and Riddle	SB 542-Sater
SB 509-Holsman	SB 543-Schupp
SB 510-Holsman	SB 544-Schaefer
SB 511-Schaaf	SB 545-Schaefer
SB 512-Schaaf	SB 546-Schaefer
SB 513-Parson	SB 547-Riddle
SB 514-Parson	SB 548-Sifton
SB 515-Sater	SB 549-Onder
SB 516-Sifton	SB 550-Dixon
SB 517-Wasson	SB 551-Hegeman
SB 518-Wallingford	SB 552-Munzlinger
SB 519-Richard, et al	SB 553-Munzlinger
SB 520-Kehoe	SB 554-Munzlinger
SB 521-Kehoe	SB 555-Emery
SB 522-Kehoe	SB 556-Pearce
SB 523-Kraus	SB 557-LeVota
SB 524-Cunningham	SB 558-Brown
SB 525-Brown	SB 559-Chappelle-Nadal, et al
SB 526-Riddle	SB 560-Chappelle-Nadal
SB 527-Keaveny	SB 561-Wasson
SB 528-Sater	SB 562-Wieland
SB 529-Onder	SB 563-Wieland
SB 530-Onder	SB 564-Kehoe
SB 531-Emery	SB 565-Wallingford
SB 532-Riddle	SB 566-Silvey
SB 533-Riddle	SB 567-Chappelle-Nadal, et al
SB 534-Schaaf	SB 568-Munzlinger
SB 535-Schaaf	SJR 13-Schaaf
SB 536-Schaaf	SJR 14-Dixon
SB 537-Schaaf	SJR 15-Cunningham
SB 538-Schaaf	

HOUSE BILLS ON SECOND READING

HCS for HB 130	HCS for HB 141
HCS for HB 50	HB 29-Dugger
HB 32-Hoskins	HB 100-Gosen

HB 233-Franklin
HB 41-Wood
HB 179-Chipman
HB 533-Dugger
HCS for HB 388
HB 149-Fitzpatrick
HB 88-Walton Gray
HB 361-Spencer
HB 391-Gosen
HB 400-Peters

HB 402-Phillips
HB 404-Phillips
HB 562-Davis
HB 111-Crawford
HCS for HB 112
HCS for HB 777
HB 384-Flanigan
HB 468-Berry
HB 118-Burlison

THIRD READING OF SENATE BILLS

SCS for SB 19-Kraus (In Fiscal Oversight)
SS for SCS for SB 122-Walsh
(In Fiscal Oversight)
SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)

SS for SCS for SB 67-Cunningham
SCS for SB 107-Sater

SENATE BILLS FOR PERFECTION

1. SB 233-Kehoe, with SCS
2. SB 10-Schaaf, with SCS
3. SB 119-Brown and Chappelle-Nadal,
with SCS
4. SB 152-Wallingford, with SCS
5. SB 58-Dixon
6. SB 224-Romine and Dixon, with SCS
7. SB 326-Sater, with SCS

8. SB 56-Munzlinger, with SCS
9. SB 201-Dixon
10. SB 216-Keaveny
11. SB 164-Sifton
12. SB 239-Brown
13. SJR 7-Richard and Wallingford
14. SB 256-Sater, et al

HOUSE BILLS ON THIRD READING

HCS#2 for HB 63, with SCS (Wasson)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)

SB 59-Dixon

SB 142-Romine, with SCS & SS for SCS
(pending)
SB 227-Emery, with SS (pending)

SB 330-Parson
SB 424-Pearce, with SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/23

SB 276-Walsh

SB 277-Walsh

Reported 2/26

SB 211-Walsh and Dixon

Reported 3/5

SB 270-Nasheed, with SCS
SB 282-Parson
SB 156-Nasheed

SB 166-Nasheed
SB 231-Kehoe
SB 278-Schatz, with SCS

RESOLUTIONS

To be Referred

SCR 31-Cunningham

SCR 32-Hegeman

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-FOURTH DAY—TUESDAY, MARCH 10, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“How precious is your steadfast love, O Lord All people may take refuge in the shadow of your wings.” (Psalm 36:10)

O God, help us to prioritize spiritual realities over temporal ones, for that is not easy for us to do. The physical realities around us are tangible; as we hold stacks of bills in our hands that we can either vote up or down or control their passage. But the spiritual realities are not easy to recognize or see in the moment. So, help us Lord to stay calm in each moment, help us to keep seeking and drawing closer to You, and help us reach out to others with Your love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from Missouri Digital News were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

Absent—Senators—None

Absent with leave—Senators

Dixon	LeVota	Riddle—3
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Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 583, regarding Christopher D. Cooper, Wardsville, which was adopted.

Senator Walsh offered Senate Resolution No. 584, regarding Robert A. Soutier, Bridgeton, which was adopted.

On behalf of Senator Dixon, Senator Richard offered Senate Resolution No. 585, regarding Verniquia Foster, which was adopted.

Senator Schupp offered Senate Resolution No. 586, regarding Eli Gabriel Goldstein, Olivette, which was adopted.

Senator Schupp offered Senate Resolution No. 587, regarding Jody Eichacker, which was adopted.

Senator Schupp offered Senate Resolution No. 588, regarding Joan Bible, which was adopted.

Senator Schupp offered Senate Resolution No. 589, regarding Stan Williams, which was adopted.

Senator Schupp offered Senate Resolution No. 590, regarding Lori Maddox, which was adopted.

Senator Schupp offered Senate Resolution No. 591, regarding Michael Herrmann, which was adopted.

Senator Schupp offered Senate Resolution No. 592, regarding Tim Morrison, which was adopted.

Senator Schupp offered Senate Resolution No. 593, regarding Frances Leverenz, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Kehoe moved that **SB 233**, with **SCS**, be taken up for perfection, which motion prevailed. **SCS** for **SB 233**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 233

An Act to repeal section 490.065, RSMo, and to enact in lieu thereof one new section relating to expert witnesses.

Was taken up.

Senator Kehoe moved that **SCS** for **SB 233** be adopted.

Senator Pearce assumed the Chair.

Senator Schupp offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 233, Page 2, Section 490.065, Lines 19-27, by striking said lines and inserting in lieu thereof the following: “**the form of an opinion or otherwise if the expert’s scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue.**”.

Senator Schupp moved that the above amendment be adopted.

Senator Kraus assumed the Chair.

At the request of Senator Kehoe, **SB 233**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

SENATE BILLS FOR PERFECTION

At the request of Senator Schaaf, **SB 10**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Brown, **SB 119**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 152**, with **SCS**, was placed on the Informal Calendar.

SB 58 was placed on the Informal Calendar.

At the request of Senator Romine, **SB 224**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Sater, **SB 326**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 56**, with **SCS**, was placed on the Informal Calendar.

SB 201 was placed on the Informal Calendar.

At the request of Senator Keaveny, **SB 216** was placed on the Informal Calendar.

At the request of Senator Sifton, **SB 164** was placed on the Informal Calendar.

Senator Brown moved that **SB 239** be taken up for perfection, which motion prevailed.

Senator Brown offered **SS** for **SB 239**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 239

An Act to repeal sections 1.010, 538.205, and 538.210, RSMo, and to enact in lieu thereof three new sections relating to a statutory cause of action against healthcare providers.

Senator Brown moved that **SS** for **SB 239** be adopted.

Senator Keaveny offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 239, Page 5, Section 538.210, Line 16, by striking the word “five” and inserting in lieu thereof the following: “**seven**”.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 239, Page 2, Section 538.205, Line 23, by striking the words “twenty-two/two-hundredths” and inserting in lieu thereof the following: “**twenty/two-hundred**”.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Brown moved that **SS** for **SB 239**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SS** for **SB 239**, as amended, was declared perfected and ordered printed.

Senator Pearce assumed the Chair.

Senator Kehoe moved that **SB 233**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Kehoe, **SB 233**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 501—Judiciary and Civil and Criminal Jurisprudence.

SB 502—Veterans' Affairs and Health.

SB 503—Small Business, Insurance and Industry.

SB 504—Governmental Accountability and Fiscal Oversight.

SB 505—Financial and Governmental Organizations and Elections.

SB 506—Jobs, Economic Development and Local Government.

SB 507—Jobs, Economic Development and Local Government.

SB 508—Commerce, Consumer Protection, Energy and the Environment.

SB 509—Commerce, Consumer Protection, Energy and the Environment.

SB 510—Commerce, Consumer Protection, Energy and the Environment.

SB 511—Governmental Accountability and Fiscal Oversight.

SB 512—Governmental Accountability and Fiscal Oversight.

SB 513—Small Business, Insurance and Industry.

SB 514—Rules, Joint Rules, Resolutions and Ethics.

SB 515—Veterans' Affairs and Health.

SB 516—Commerce, Consumer Protection, Energy and the Environment.

SB 517—Financial and Governmental Organizations and Elections.

SB 518—Seniors, Families and Children.

SB 519—Jobs, Economic Development and Local Government.

SB 520—Commerce, Consumer Protection, Energy and the Environment.

SB 521—Commerce, Consumer Protection, Energy and the Environment.

SB 522—Commerce, Consumer Protection, Energy and the Environment.

SB 523—Financial and Governmental Organizations and Elections.

SB 524—Financial and Governmental Organizations and Elections.

SB 525—Seniors, Families and Children.

SB 526—Commerce, Consumer Protection, Energy and the Environment.

SB 527—Judiciary and Civil and Criminal Jurisprudence.

SB 528—Small Business, Insurance and Industry.

SB 529—Transportation, Infrastructure and Public Safety.

SB 530—Education.

SB 531—Education.

SB 532—Judiciary and Civil and Criminal Jurisprudence.

SB 533—Seniors, Families and Children.

SB 534—General Laws and Pensions.

SB 535—General Laws and Pensions.

SB 536—General Laws and Pensions.

SB 537—General Laws and Pensions.

SB 538—General Laws and Pensions.

SB 539—Jobs, Economic Development and Local Government.

SB 540—Transportation, Infrastructure and Public Safety.

SB 541—Jobs, Economic Development and Local Government.

REFERRALS

President Pro Tem Dempsey referred **SCR 31** and **SCR 32** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR PERFECTION

Senator Kehoe moved that **SB 233**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Kraus assumed the Chair.

Senator Wallingford assumed the Chair.

President Pro Tem Dempsey assumed the Chair.

Senator Schupp moved that the above amendment be adopted, which motion failed.

Senator Pearce assumed the Chair.

Senator Sifton offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 233, Page 2, Section 490.065, Line 46, by inserting after all of said line the following:

“5. Notwithstanding any other provision of law, an individual with five or more years of practical experience in the area of scientific, technical or other specialized knowledge at issue shall be presumed qualified under this section.”

Senator Sifton moved that the above amendment be adopted.

Senator Romine assumed the Chair.

At the request of Senator Kehoe, **SB 233**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 239**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 594, regarding Aileen Markovitz, Wildwood, which was adopted.

Senator Nasheed offered Senate Resolution No. 595, regarding Kaitlyn Davis, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, teachers Joshua Byler and JoAnn Schlabach; Keith and Rhoda Kramer, Lavern and Evelyn Schlabach, David, Anna and Connor Beachy; and students, Dylan Miller, Christina Byler, Bethany Eicher, Jared Schlabach and Kendra Miller, Bethel Mennonite Church, Richmond.

Senator Parson introduced to the Senate, County Treasurers from the 28th Senatorial District and around the state.

Senator Parson introduced to the Senate, Kevin Spaulding and Kylee Fredrickson, Springfield.

Senator Parson introduced to the Senate, Principal David Geurin; and students Brooklyn Nance, Anthony Azzun, Sylvia Ofori-Yeboha, Shelby Hayes, and Drew Geurin, Bolivar High School Rotary Club.

Senator Parson introduced to the Senate, Shane and Jenny Deppe, and their daughter, Chloe, Brighton.

Senator Wallingford introduced to the Senate, Jillian Rushin, University of Missouri Undergraduate Research representative.

Senator Dempsey introduced to the Senate, representatives of University of Missouri Undergraduate Research Day.

Senator Emery introduced to the Senate, Sarah Byers, Sarah Creasy, McCade Gordon, Eli Householder, Clay Landoll and Luke Sudkamp, Nevada High School; and Sandra Holt, Deepwater.

Senator Holsman introduced to the Senate, Theresa Torres, Paola Vera, Britany Mojica, Christina Jasso, Ricky Oliveras and Diane and Paul Rojas, Kansas City.

Senator Brown introduced to the Senate, Abigail Campbell, Adrian Black, Anthony Wellnitz, Rebekah Harrah, Kevin Bird, and Alec Page, University of Missouri-Rolla Undergraduate Research representatives.

Senator Brown introduced to the Senate, Jared Dover, Lyle Watson, Rebekah Leslie, Andy Offutt and Randy Becht, Pulaski County Rotary students.

Senator Kehoe introduced to the Senate, teacher Jessica Baumhoer; and fourth grade students from St. Francis Xavier, Taos.

Senator Onder introduced to the Senate, Katelyn Waidmann, O'Fallon.

Senator Cunningham introduced to the Senate, Leslie Thomas and Jenny Gardner, Rotary Club, Marshfield; and Haley Venolia and David Champlin, Niangua High School.

Senator Brown introduced to the Senate, students from Rolla High School Rotary Club.

Senator Wallingford introduced to the Senate, Carol Tobias.

On behalf of Senator Pearce, the President introduced to the Senate, representatives of the Missouri Federation of Republican Women, Lana Crain and Doris Strickler, Lafayette County; and Debbie Phillips and Virginia Campbell, Johnson County.

Senator Holsman introduced to the Senate, Ellen Pittman, Micah Fritz, and students from Redbridge Elementary, Kansas City; and Winston Apple, Independence.

Senator Dempsey introduced to the Senate, Lauren Murphy, Payton Wilson and Maria Wilson, St. Charles.

Senator Munzlinger introduced to the Senate, Debbie Sears; and students from Scotland County High School, Memphis.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-FIFTH DAY—WEDNESDAY, MARCH 11, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 542-Sater
SB 543-Schupp

SB 544-Schaefer
SB 545-Schaefer

SB 546-Schaefer
 SB 547-Riddle
 SB 548-Sifton
 SB 549-Onder
 SB 550-Dixon
 SB 551-Hegeman
 SB 552-Munzlinger
 SB 553-Munzlinger
 SB 554-Munzlinger
 SB 555-Emery
 SB 556-Pearce
 SB 557-LeVota
 SB 558-Brown

SB 559-Chappelle-Nadal, et al
 SB 560-Chappelle-Nadal
 SB 561-Wasson
 SB 562-Wieland
 SB 563-Wieland
 SB 564-Kehoe
 SB 565-Wallingford
 SB 566-Silvey
 SB 567-Chappelle-Nadal, et al
 SB 568-Munzlinger
 SJR 13-Schaaf
 SJR 14-Dixon
 SJR 15-Cunningham

HOUSE BILLS ON SECOND READING

HCS for HB 130
 HCS for HB 50
 HB 32-Hoskins
 HCS for HB 141
 HB 29-Dugger
 HB 100-Gosen
 HB 233-Franklin
 HB 41-Wood
 HB 179-Chipman
 HB 533-Dugger
 HCS for HB 388
 HB 149-Fitzpatrick
 HB 88-Walton Gray

HB 361-Spencer
 HB 391-Gosen
 HB 400-Peters
 HB 402-Phillips
 HB 404-Phillips
 HB 562-Davis
 HB 111-Crawford
 HCS for HB 112
 HCS for HB 777
 HB 384-Flanigan
 HB 468-Berry
 HB 118-Burlison

THIRD READING OF SENATE BILLS

SCS for SB 19-Kraus (In Fiscal Oversight)
 SS for SCS for SB 122-Walsh (In
 Fiscal Oversight)
 SCS for SBs 1, 22, 49 & 70-Pearce (In
 Fiscal Oversight)

SS for SCS for SB 67-Cunningham
 SCS for SB 107-Sater
 SS for SB 239-Brown

SENATE BILLS FOR PERFECTION

SJR 7-Richard and Wallingford

SB 256-Sater, et al

HOUSE BILLS ON THIRD READING

HCS#2 for HB 63, with SCS (Wasson)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 10-Schaaf, with SCS

SB 37-Romine, with SCS & SA 1 (pending)

SB 56-Munzlinger, with SCS

SB 58-Dixon

SB 59-Dixon

SB 119-Brown and Chappelle-Nadal, with SCS

SB 142-Romine, with SCS & SS for SCS
(pending)

SB 152-Wallingford, with SCS

SB 164-Sifton

SB 201-Dixon

SB 216-Keaveny

SB 224-Romine and Dixon, with SCS

SB 227-Emery, with SS (pending)

SB 233-Kehoe, with SCS & SA 2 (pending)

SB 326-Sater, with SCS

SB 330-Parson

SB 424-Pearce, with SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/23

SB 276-Walsh

SB 277-Walsh

Reported 2/26

SB 211-Walsh and Dixon

Reported 3/5

SB 270-Nasheed, with SCS

SB 282-Parson

SB 156-Nasheed
SB 166-Nasheed

SB 231-Kehoe
SB 278-Schatz, with SCS

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-FIFTH DAY—WEDNESDAY, MARCH 11, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Be still and know that I am God!” (Psalm 46:10)

In these hectic days help us to be still, O God, so we may be with You and in knowing You we may know ourselves. Help us be still so we may be with You while we do our chores, walk the halls, or even in conversation with others. We know that many times words do not have to be spoken to be understood and yet we get Your message, too, particularly in silence that fills and comforts us. So, we are thankful for such times and feel Your blessing. Thank you Lord. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from KRCG-TV and Mexico High School were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31

Absent—Senators—None

Absent with leave—Senators

LeVota Riddle—2

Vacancies—None

The Lieutenant Governor was present.

The Senate observed a moment of silence in memory of the fallen U. S. military members at Eglin Air Force Base in Florida.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 596, regarding Sydney Buffington, Mt. Vernon, which was adopted.

On behalf of Senator LeVota, Senator Keaveny offered Senate Resolution No. 597, regarding Scott Sharkey, Liberty, which was adopted.

On behalf of Senator LeVota, Senator Keaveny offered Senate Resolution No. 598, regarding the Honorable Harold L. Caskey, Butler, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Parson moved that **SB 330** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

President Kinder assumed the Chair.

Senator Pearce assumed the Chair.

At the request of Senator Parson, **SB 330** was placed on the Informal Calendar.

Senator Schaaf moved that **SB 10**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 10**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 10

An Act to repeal section 192.667, RSMo, and to enact in lieu thereof one new section relating to infection reporting, with existing penalty provisions.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 10** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 10, Page 1, Section 192.667, Line 16, by striking “health-care associated” and inserting in lieu thereof the following: “**healthcare-associated**”; and

Further amend said bill and section, page 2, line 52, by striking “nosocomial” and inserting in lieu thereof the following: “**healthcare-associated**”; and

Further amend said bill and section, page 5, line 145, by striking the word “Is” and inserting in lieu thereof the following: “**Are**”; and further amend line 149, by striking the word “Demonstrates” and inserting in lieu thereof the following: “**Demonstrate**”; and further amend line 153, by striking the word “Is” and inserting in lieu thereof the following: “**Are**”; and further amend line 157, by striking “health-care associated” and inserting in lieu thereof the following: “**healthcare-associated**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Schaaf moved that **SCS** for **SB 10**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaaf, **SCS** for **SB 10**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 119**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 119**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 119

An Act to repeal sections 196.970, 196.973, 196.976, 196.981, 196.984, and 556.001, RSMo, section 196.979 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 196.979 as enacted by house bill no. 1687, ninety-third general assembly, second regular session, and to enact in lieu thereof nine new sections relating to the prescription drug repository, with existing penalty provisions.

Was taken up.

Senator Brown moved that **SCS** for **SB 119** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 119**, was declared perfected and ordered printed.

Senator Wallingford moved that **SB 152**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 152**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 152

An Act to repeal sections 29.380, 260.200, 260.225, 260.235, 260.250, 260.320, 260.325, 260.330, 260.335, and 260.345, RSMo, and to enact in lieu thereof eleven new sections relating to solid waste.

Was taken up.

Senator Wallingford moved that **SCS** for **SB 152** be adopted.

Senator Wallingford offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 152, Page 21, Section 260.335, Line 71, by inserting immediately after the word “for” the following: “**grant applications in subsequent years or for**”.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford moved that **SCS** for **SB 152**, as amended, be adopted, which motion prevailed.

On motion of Senator Wallingford, **SCS** for **SB 152**, as amended, was declared perfected and ordered printed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 172**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 194**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 457**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 458**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which were referred **SB 34** and **SB 105**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 159**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 392**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 336**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was

referred **SB 340**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 341**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 203**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 254**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 272**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 318**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which were referred **SB 63** and **SB 111**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which were referred **SB 331** and **SB 21**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 278**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance

with the provisions of Senate Rule 45.

Senator Kehoe assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 58** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Dixon offered **SS** for **SB 58**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 58

An Act to repeal sections 8.597, 21.440, 21.445, 21.450, 21.455, 21.460, 21.465, 21.530, 21.535, 21.537, 21.830, 21.835, 21.850, 21.920, 30.953, 30.954, 30.956, 30.959, 30.962, 30.965, 30.968, 30.971, 33.150, 33.710, 33.850, 37.250, 43.518, 99.863, 99.971, 99.1057, 160.530, 167.195, 191.828, 191.934, 192.632, 215.261, 215.262, 217.550, 217.567, 313.001, 320.092, 338.321, 348.439, 361.120, and 630.010, RSMo, and section 105.955 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and to enact in lieu thereof eleven new sections relating to the existence of certain committees.

Senator Dixon moved that **SS** for **SB 58** be adopted, which motion prevailed.

On motion of Senator Dixon, **SS** for **SB 58** was declared perfected and ordered printed.

Senator Romine moved that **SB 224**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Kraus assumed the Chair.

SCS for **SB 224**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 224

An Act to repeal section 160.545, RSMo, and to enact in lieu thereof one new section relating to eligibility criteria for reimbursements from the A+ schools program, with an emergency clause.

Was taken up.

Senator Romine moved that **SCS** for **SB 224** be adopted.

Senator Holsman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 224, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: “to eligibility criteria for higher education benefits, with an”; and

Further amend said bill, page 4, section 160.545, line 118, by inserting after all of said line the following:

“174.820. 1. This section shall be known and may be cited as the “Missouri Tuition Equity Act”.

2. Notwithstanding any other provision of law to the contrary, for the purposes of tuition, fees, and admission, the governing board of any Missouri higher education institution that receives any state funds whatsoever shall deem an individual a Missouri resident, unless or until the individual establishes a residence outside of Missouri, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian, or was emancipated, while attending a public or private high school in this state;

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this state;

(3) The individual attended school in this state for at least two years as of the date the individual graduated from high school or received the equivalent of a high school diploma;

(4) The individual entered the United States prior to the enactment of this section; and

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the higher education institution with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

3. No Missouri higher education institution that receives any state funds whatsoever may deny admittance to a student based solely on his or her immigration status provided the student has satisfied the requirements of this section.

4. Any information collected under this section as part of a student's admission shall remain confidential.”; and

Further amend said bill and page, section B, line 3 by inserting after the word “semester” the following: “and the importance of providing educational opportunities for Missouri high school graduates”; and

Further amend the title and enacting clause accordingly.

Senator Holsman moved that the above amendment be adopted.

Senator Romine raised the point of order that **SA 1** goes beyond the scope of the bill.

The point of order was referred to the President Pro Tem.

At the request of Senator Romine, **SB 224**, with **SCS**, **SA 1** and point of order (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 70**, entitled:

An Act to repeal sections 376.370, 376.380, and 376.670, RSMo, and to enact in lieu thereof four new sections relating to valuation of reserves for life insurance.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 187**, entitled:

An Act to repeal sections 173.1104 and 173.1110, RSMo, and to enact in lieu thereof three new sections relating to postsecondary education public benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 10** and **SCS** for **SB 119**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Richard, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

SENATE BILLS FOR PERFECTION

Senator Sater moved that **SB 326**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 326**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 326

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to the authority for counties to decrease their budgets.

Was taken up.

Senator Sater moved that **SCS** for **SB 326** be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **SB 326** was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 56**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Dixon assumed the Chair.

Senator Schmitt assumed the Chair.

SCS for **SB 56**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 56

An Act to amend chapter 252, RSMo, by adding thereto one new section relating to permits issued by the department of conservation.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 56** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **SB 56** was declared perfected and ordered printed.

Senator Dixon moved that **SB 201** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

At the request of Senator Dixon, **SB 201** was placed on the Informal Calendar.

Senator Romine moved that **SB 224**, with **SCS**, **SA 1** and point of order (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Holsman, **SA 1** was withdrawn, rendering the point of order moot.

SCS for **SB 224** was again taken up.

Senator Romine moved that **SCS** for **SB 224** be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SB 224** was declared perfected and ordered printed.

Senator Keaveny moved that **SB 216** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Keaveny, **SB 216** was declared perfected and ordered printed.

Senator Sifton moved that **SB 164** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Sifton, **SB 164** was declared perfected and ordered printed.

Senator Dixon moved that **SB 201** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Dixon offered **SS** for **SB 201**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 201

An Act to repeal sections 221.160 and 550.030, RSMo, and to enact in lieu thereof two new sections relating to the costs of imprisonment.

Senator Dixon moved that **SS** for **SB 201** be adopted, which motion prevailed.

On motion of Senator Dixon, **SS** for **SB 201** was declared perfected and ordered printed.

At the request of Senator Richard, **SJR 7** was placed on the Informal Calendar.

Senator Sater moved that **SB 256** be taken up for perfection, which motion prevailed.

On motion of Senator Sater, **SB 256** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 152** and **SS** for **SB 58**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

March 11, 2015


Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Due to my absence during the legislative day beginning at 4:00 p.m. Wednesday, March 11, 2015, and until my return to the Missouri State Capitol Building, I authorize the Senate Majority Floor Leader to exercise the following duties:

- Receive reports of Senate Consent bills from Senate Standing Committees.
- Submit report from the Senate Gubernatorial Appointments Committee for consideration and adoption.

Sincerely,



Tom Dempsey

Also,

March 11, 2015

Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

In accordance with SCR 5, I am appointing the following to the Missouri Lead Industry Employment, Economic Development and Environmental Remediation Task Force:

Senator Gary Romine, Chair
Senator Doug Libla
Senator Gina Walsh
Matt Wohl, Industry Representative

If you have any questions, please do not hesitate to contact me.

Sincerely,



Tom Dempsey

RESOLUTIONS

Senator Keaveny offered Senate Resolution No. 599, regarding Richard Angle, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 600, regarding Thomas Drake, Webster Groves, which was adopted.

Senator Hegeman offered Senate Resolution No. 601, regarding Jacob Anderson, Excelsior Springs, which was adopted.

Senator Hegeman offered Senate Resolution No. 602, regarding Caleb Shepard, Excelsior Springs, which was adopted.

Senator Curls offered Senate Resolution No. 603, regarding Dr. Harry Blake, Mount Canaan Baptist Church, Shreveport, Louisiana, which was adopted.

Senator Curls offered Senate Resolution No. 604, regarding George C. Fraser, FraserNet, which was adopted.

INTRODUCTIONS OF GUESTS

On behalf of Senator Riddle and himself; Senator Munzlinger introduced to the Senate, Sara May Given; Superintendent Kevin Freeman; and members of the Jelly Bean Speech Olympic Team, Mexico High School.

Senator Parson introduced to the Senate, Teri Turner, Teacher of the Year; and teacher Chris Kindle; and students, Kylie Bales, Keelly Jones, Ethan Yazell, Caroline Yang, Alex Sanchez, Lanie Beard, Haleigh Carson, Stephen Weeks and Maggie Beard, Smith-Cotton High School, Sedalia.

Senator Libla introduced to the Senate, Ethan Andrews, his mother, Kara Hancock, and his grandparents, Dellis and Vicki Cookson, Puxico.

Senator Wallingford introduced to the Senate, Addison Ringwald, and her mother, Beth, Clippard Elementary School, Cape Girardeau; and Addison was made honorary page.

Senator Wallingford introduced to the Senate, Gabe and Etty Solo, Trinity Lutheran School, Cape Girardeau.

Senator Schaefer introduced to the Senate, coaches, Laura Wacker, Zach Mertens, Emily Argotsinger and Kelsey Arends; members Ashley Arneson, Althea Felton, Ellie Flanagan, Kate Forward, Alexis Hopkins, Bettie Logan, Olivia Nanneman, Lexi Peery, Kristi Seyer, Elinor Standley, Kelley Tackett, Anna Willcoxon, Nicole Williams, Madison Wright and Ellie Zweifel, State Champion Rock Bridge High School Girls Swimming and Diving Team, Columbia.

Senator Kraus introduced to the Senate, U.S. Government students from Oak Grove High School.

Senator Kehoe introduced to the Senate, Coach Kerri Jones; and members Maddison Lammers, Madison Ponder, Mayce Foster, Erin Gordon, Savanna Hoelscher, Kara Verslues, Emily Berendzen, Addison Linhardt, Brenna McNutt, Cameren Ponder, Allyson Seaton, Erin Kemna, Grace Schollmeyer and Sarah Simmons, Dance Explosion HDX Team, Helias Catholic High School, Jefferson City.

On behalf of Senator Pearce, the President introduced to Senate, Dr. Shari Bax, Beth Rutt and David Rogers, University of Central Missouri, Warrensburg.

Senator Kehoe introduced to the Senate, Kyle Trimble, Jefferson City.

Senator Brown introduced to the Senate, Christopher Cordis, Rolla High School Choir.

The President introduced to the Senate, Steve, Julie, Claire and Thomas Southard and Eli Youngblood, Cape Girardeau; Lanie Wilkerson, his mother, Wren; sisters Gracey and Paisley; and his brother Titus, Puxico.

On behalf of Senators Pearce and Parson, the President introduced to the Senate, Jerri Harrelsen, Pike County; Deana Auersman, Lafayette County; Wanda Tyre, Laclede County; Tiffany Phillips, Polk County; Christy M. Hency, Scott County; Dawnel Davidson, Cole County; Nancy Fisher, Cooper County; Susan Sadler, Pettis County; Marsha Aabbott, Henry County; Christy Blakemore, Boone County; Judy Groner, Callaway County, representing Circuit Clerks of Missouri.

Senator Wallingford introduced to the Senate, representatives of the Missouri Federation of Pachyderm Clubs from St. Louis County, St. Charles, Lewis and Clark, Columbia, Boone County, Audrain County, Springfield, Southeast Missouri and Salt Fork.

Senator Onder introduced to the Senate, Principal Shane Schlueter, Band Director Jim Cunningham and Theater Director Robert Gleason, Holt High School, Wentzville.

Senator Cunningham introduced to the Senate, the Physician of the Day, Dr. Brian Biggers, and his son, Brayden, Springfield.

Senator Kraus introduced to the Senate, his wife, Carmen; and fourth grade students from Summit Christian Academy, Lee's Summit.

Senator Holsman introduced to the Senate, Dr. Ashika Okhav, Dr. Evan Martin and Dr. Anisha Rimal, Children's Mercy Hospital, Independence.

Senator Schupp introduced to the Senate, Audrey Mack, St. Louis.

Senator Libla introduced to the Senate, Eddy Justice, Poplar Bluff.

Senator Onder introduced to the Senate, Alex Meyer, Weldon Spring.

Senator Dixon introduced to the Senate, Verniquia Foster, Springfield.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-SIXTH DAY—THURSDAY, MARCH 12, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 542-Sater
SB 543-Schupp

SB 544-Schaefer
SB 545-Schaefer

SB 546-Schaefer	SB 559-Chappelle-Nadal, et al
SB 547-Riddle	SB 560-Chappelle-Nadal
SB 548-Sifton	SB 561-Wasson
SB 549-Onder	SB 562-Wieland
SB 550-Dixon	SB 563-Wieland
SB 551-Hegeman	SB 564-Kehoe
SB 552-Munzlinger	SB 565-Wallingford
SB 553-Munzlinger	SB 566-Silvey
SB 554-Munzlinger	SB 567-Chappelle-Nadal, et al
SB 555-Emery	SB 568-Munzlinger
SB 556-Pearce	SJR 13-Schaaf
SB 557-LeVota	SJR 14-Dixon
SB 558-Brown	SJR 15-Cunningham

HOUSE BILLS ON SECOND READING

HCS for HB 130	HB 391-Gosen
HCS for HB 50	HB 400-Peters
HB 32-Hoskins	HB 402-Phillips
HCS for HB 141	HB 404-Phillips
HB 29-Dugger	HB 562-Davis
HB 100-Gosen	HB 111-Crawford
HB 233-Franklin	HCS for HB 112
HB 41-Wood	HCS for HB 777
HB 179-Chipman	HB 384-Flanigan
HB 533-Dugger	HB 468-Berry
HCS for HB 388	HB 118-Burlison
HB 149-Fitzpatrick	HCS for HB 70
HB 88-Walton Gray	HCS for HB 187
HB 361-Spencer	

THIRD READING OF SENATE BILLS

- | | |
|--|---|
| 1. SCS for SB 19-Kraus (In Fiscal Oversight) | 5. SCS for SB 107-Sater |
| 2. SS for SCS for SB 122-Walsh (In Fiscal Oversight) | 6. SS for SB 239-Brown |
| 3. SCS for SBs 1, 22, 49 & 70-Pearce (In Fiscal Oversight) | 7. SCS for SB 10-Schaaf |
| 4. SS for SCS for SB 67-Cunningham | 8. SCS for SB 119-Brown and Chappelle-Nadal |
| | 9. SCS for SB 152-Wallingford |
| | 10. SS for SB 58-Dixon |

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------------|---|
| 1. SB 172-Romine, with SCS | 6. SB 341-Riddle, with SCS |
| 2. SB 194-Richard, et al | 7. SB 203-Dixon |
| 3. SBs 34 & 105-Wallingford, with SCS | 8. SBs 63 & 111-Sater and Nasheed, with SCS |
| 4. SB 159-Parson | 9. SBs 331 & 21-Libla, with SCS |
| 5. SB 336-Kraus, with SCS | |

HOUSE BILLS ON THIRD READING

HCS#2 for HB 63, with SCS (Wasson)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SB 37-Romine, with SCS & SA 1 (pending) | SB 233-Kehoe, with SCS & SA 2 (pending) |
| SB 59-Dixon | SB 330-Parson |
| SB 142-Romine, with SCS & SS for SCS
(pending) | SB 424-Pearce, with SA 1 (pending) |
| SB 227-Emery, with SS (pending) | SJR 7-Richard and Wallingford |

CONSENT CALENDAR

Senate Bills

Reported 2/23

SB 276-Walsh

SB 277-Walsh

Reported 2/26

SB 211-Walsh and Dixon

Reported 3/5

SB 270-Nasheed, with SCS
SB 282-Parson
SB 156-Nasheed

B 166-Nasheed
SB 231-Kehoe

Reported 3/11

SB 457-Sater

SB 458-Sater

SB 392-Wieland
SB 340-Pearce, with SCS
SB 254-Kraus

SB 272-Riddle, et al
SB 318-Cunningham and Libla

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-SIXTH DAY—THURSDAY, MARCH 12, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

But I trust in you, O Lord; I say, “You are my God.” My time is in your hand;” (Psalm 31:14-15a)

O Lord, we awaken to stories of violence once again in Ferguson and throughout our country. We pray that You, who art our God, will help us be sowers of peace and instruments to bring justice and healing in our state, and contribute to understanding and healing throughout our nation. Bless us and our actions and make us instruments of Your holy will. And we pray with St. Francis that you will help us, “to sow love where there is hatred, where there is injury, pardon; where there is discord, union; where there is doubt, faith; where there is despair, hope; where there is darkness, light; where there is sadness, joy...” In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Dempsey	LeVota	Riddle—4
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Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 605, regarding Joan Hays, California, which was adopted.

On behalf of Senator Riddle, Senator Richard offered Senate Resolution No. 606, regarding Dorothy Rosenthal, Mexico, which was adopted.

On behalf of Senator Riddle, Senator Richard offered Senate Resolution No. 607, regarding Joe and Clara Vance, Centralia, which was adopted.

On behalf of Senator Riddle, Senator Richard offered Senate Resolution No. 608, regarding Jefferson and Vicki Wright, Vandalia, which was adopted.

On behalf of Senator Riddle, Senator Richard offered Senate Resolution No. 609, regarding Rodney and Carol Willingham, Martinsburg, which was adopted.

CONCURRENT RESOLUTIONS

Senator Curls offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 33

Whereas, a sustainable agricultural system in the United States is critical to the continued production of food, feed, and fiber to meet both domestic and global demands; and

Whereas, the treatment, prevention, and control of agricultural pests is critically important to the health and welfare of our residents and the safety of our global food, feed, and fiber supply; and

Whereas, the availability of modern agricultural technologies such as precision farming equipment, crop protection chemistries, genetically engineered or enhanced traits, and agricultural nutrients are critically important tools that allow farmers to expand yields, reduce environmental impacts, improve profitability and provide a safe, healthy, abundant, and affordable food supply; and

Whereas, the agriculture and food production industries have a long history of success and safety in protecting and further enhancing the food, feed, and fiber supply of Missouri residents and the world; and

Whereas, the agriculture industry is recognized as an important contributor to the economic vitality of the state of Missouri through jobs, capital investment, farm income, value added sectors, and contributions to the state's tax base; and

Whereas, the crop protection industry is among the most studied and regulated of all industries at both the state and federal levels; and

Whereas, the continued success of these industries and our nation's position as a world leader in crop protection chemistries, genetically engineered or enhanced traits and nutrients depends on state and federal regulators utilizing science based data to assess both product and ingredient safety; and

Whereas, sound science rather than the "precautionary principle" should be the bedrock of our nation's regulatory scheme:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby strongly urges the Missouri Congressional delegation to support the use of science based data to assess the impacts and the regulation of modern agricultural technologies, including but not limited to crop protection chemistries, genetically engineered or enhanced traits, and nutrients; and

Be It Further Resolved that the Missouri General Assembly strongly urges the Missouri Congressional delegation to oppose legislative or regulatory action that may result in unnecessary restrictions on the use of modern agricultural technologies, including but not limited to crop protection chemistries, genetically engineered or enhanced traits, and nutrients that are not based on sound science; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for each member of Missouri's Congressional delegation.

Senator Emery offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 34

Whereas, under Article IV, Section 3, of the United States Constitution, "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States"; and

Whereas, the Constitutional Convention intended this provision of the Constitution to maintain the status quo that had been established to transfer federal territorial lands only to create new states with the same rights of sovereignty, freedom, and independence as the original states; and

Whereas, under these express terms of trust, over time the states claiming federal territorial land ceded their western land to the confederated Union to allow the confederated government to dispose of the lands only to create new states and apply the net proceeds of any sales of the lands only to pay down the public debt; and

Whereas, the United States Constitution contains no expression of intent to authorize the federal government to indefinitely exercise control over western public lands beyond the duty to manage the lands pending the disposal of the lands to create new states, and therefore the lands should be returned to the western states; and

Whereas, in order to promote legitimate federal interests, the western states should upon transfer of the public lands directly to the state where the public land is located agree to affirmatively cede lands for the national park system, the national wilderness preservation system, and lands reserved for federal military use, military parks, and military reservations to the federal government under Article I, Section 8, Clause 17, of the United States Constitution, on condition that the lands permanently remain national park lands, and that they not be sold, transferred, left in substantial disrepair, or conveyed to any party other than to the state where the land is located; and

Whereas, limiting the ability of western states to access and utilize the public lands' natural resources within their borders is having a negative impact upon the economy of the western states and therefore the economy of the entire United States:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, in order to provide a fair, just, and equitable remedy for the federal government's past and continuing breaches of its solemn promises to the western states:

(1) Calls upon the federal government to transfer title to all federal public lands within the western states to the state where the land is located;

(2) Urges the United States Congress to engage in good faith communication, cooperation, and consultation with the western states to coordinate the transfer of the public lands, and supports the western states in these efforts;

(3) Calls upon the western states to agree, upon transfer of the public lands, to affirmatively cede to the federal government all lands currently designated as part of the National Park System under 16 U.S.C. Section 1a-1, the National Wilderness Preservation System under 16 U.S.C. Section 1131, or for military use, military parks, or military reservations;

(4) Urges that if any public land in the western states be sold to private owners, 95% of the net proceeds be paid to the Bureau of the Public Debt to pay down the federal debt; and

(5) Calls upon all other states of the United States to pass a similar resolution in support of the transfer of the federal public lands to the western states; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Secretary of the United States Department of the Interior, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, Senator Richard submitted the following report, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the following appointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Kathleen Olsen Steele Danner, as Director of the Division of Professional Registration.

Senator Richard moved that the committee report be adopted, and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS** for **SB 19** and **SS** for **SCS** for **SB 122**, begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF SENATE BILLS

SCS for **SB 19**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 19

An Act to repeal section 143.451, RSMo, and to enact in lieu thereof one new section relating to allocation of corporate income.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SCS** for **SB 19** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman	Kehoe
Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—28				

NAYS—Senators

Keaveny Schupp—2

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Dempsey LeVota Riddle—4

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 122**, introduced by Senator Walsh, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 122

An Act to amend chapter 194, RSMo, by adding thereto one new section relating to a health care directives registry.

Was taken up.

On motion of Senator Walsh, **SS** for **SCS** for **SB 122** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Dempsey	LeVota	Riddle—4
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Vacancies—None

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 67**, introduced by Senator Cunningham, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 67

An Act to amend chapter 488, RSMo, by adding thereto one new section relating to court costs.

Was taken up.

On motion of Senator Cunningham, **SS** for **SCS** for **SB 67** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Holsman	Keaveny	Kehoe	Libla
Munzlinger	Nasheed	Onder	Parson	Pearce	Richard	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—27					

NAYS—Senators

Emery Hegeman Kraus—3

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Dempsey LeVota Riddle—4

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 107**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 107

An Act to repeal sections 345.015, 345.020, 345.022, 345.025, 345.040, 345.050, 345.051, 345.065, and 345.080, RSMo, and to enact in lieu thereof nine new sections relating to professions regulated under the division of professional registration.

Was taken up by Senator Sater.

On motion of Senator Sater, **SCS** for **SB 107** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Dempsey LeVota Riddle—4

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SB 239**, introduced by Senator Brown, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 239

An Act to repeal sections 1.010, 538.205, and 538.210, RSMo, and to enact in lieu thereof three new sections relating to a statutory cause of action against healthcare providers.

Was taken up.

On motion of Senator Brown, **SS** for **SB 239** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Onder	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—28				

NAYS—Senators

Nasheed Schupp—2

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Dempsey LeVota Riddle—4

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

THIRD READING OF HOUSE BILLS

HCS No. 2 for **HB 63**, with **SCS**, entitled:

An Act to amend chapter 115, RSMo, by adding thereto one new section relating to primary elections, with an emergency clause.

Was taken up by Senator Wasson.

SCS for **HCS No. 2** for **HB 63**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE BILL NO. 63

An Act to repeal sections 115.342, 115.348, 115.350, and 162.481, RSMo, and to enact in lieu thereof three new sections relating to requirements for candidates for certain elective public offices, with an emergency clause.

Was taken up.

Senator Wasson moved that **SCS** for **HCS No. 2** for **HB 63** be adopted.

Senator Wasson offered **SS** for **SCS** for **HCS No. 2** for **HB 63**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE BILL NO. 63

An Act to repeal sections 162.481 and 162.491, RSMo, and to enact in lieu thereof four new sections relating to persons seeking public office, with an emergency clause.

Senator Wasson moved that **SS** for **SCS** for **HCS No. 2** for **HB 63** be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Wasson, **SS** for **SCS** for **HCS No. 2** for **HB 63** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Hegeman	Keaveny	Kehoe	Kraus
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard	Romine
Sater	Schaaf	Schaefer	Schmitt	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—27					

NAYS—Senators

Emery	Holsman	Schatz—3
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Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Dempsey	LeVota	Riddle—4
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Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Keaveny	Kehoe
Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson—27					

NAYS—Senators

Holsman	Schatz	Wieland—3
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Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Dempsey	LeVota	Riddle—4
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Vacancies—None

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

THIRD READING OF SENATE BILLS

SB 276, introduced by Senator Walsh, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of the great American smokeout day.

Was called from the Consent Calendar and taken up.

On motion of Senator Walsh, **SB 276** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Dempsey	LeVota	Riddle—4
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Vacancies—None

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 277, introduced by Senator Walsh, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of epilepsy awareness month.

Was called from the Consent Calendar and taken up.

On motion of Senator Walsh, **SB 277** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Dempsey	LeVota	Riddle—4
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Vacancies—None

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 211, introduced by Senators Walsh and Dixon, entitled:

An Act to repeal sections 589.660 and 589.663, RSMo, and to enact in lieu thereof two new sections relating to the address confidentiality program administered by the secretary of state.

Was called from the Consent Calendar and taken up by Senator Walsh.

On motion of Senator Walsh, **SB 211** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Holsman	Keaveny	Kehoe
Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—29			

NAYS—Senators—None

Absent—Senator Hegeman—1

Absent with leave—Senators

Chappelle-Nadal	Dempsey	LeVota	Riddle—4
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Vacancies—None

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 270, with **SCS**, introduced by Senator Nasheed, entitled:

An Act to repeal sections 169.291 and 169.450, RSMo, and to enact in lieu thereof two new sections relating to members of the boards of trustees of public school retirement systems.

Was called from the Consent Calendar and taken up.

SCS for **SB 270**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 270

An Act to repeal sections 169.291 and 169.450, RSMo, and to enact in lieu thereof two new sections relating to members of the boards of trustees of public school retirement systems.

Was taken up.

Senator Nasheed moved that **SCS** for **SB 270** be adopted, which motion prevailed.

On motion of Senator Nasheed, **SCS** for **SB 270** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Dempsey	LeVota	Riddle—4
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Vacancies—None

The President declared the bill passed.

On motion of Senator Nasheed, title to the bill was agreed to.

Senator Nasheed moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schmitt assumed the Chair.

SB 282, introduced by Senator Parson, entitled:

An Act to repeal sections 379.118 and 379.120, RSMo, and to enact in lieu thereof two new sections relating to insurance notice proof of mailing.

Was called from the Consent Calendar and taken up.

On motion of Senator Parson, **SB 282** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Romine	Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—29			

NAYS—Senators—None

Absent—Senator Sater—1

Absent with leave—Senators

Chappelle-Nadal	Dempsey	LeVota	Riddle—4
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Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 156, introduced by Senator Nasheed, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of the “Theodore McNeal Highway”.

Was called from the Consent Calendar and taken up.

On motion of Senator Nasheed, **SB 156** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Dempsey	LeVota	Riddle—4
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Vacancies—None

The President declared the bill passed.

On motion of Senator Nasheed, title to the bill was agreed to.

Senator Nasheed moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 166, introduced by Senator Nasheed, entitled:

An Act to repeal section 301.3165, RSMo, and to enact in lieu thereof one new section relating to special license plates.

Was called from the Consent Calendar and taken up.

On motion of Senator Nasheed, **SB 166** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Dempsey	LeVota	Riddle—4
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Vacancies—None

The President declared the bill passed.

On motion of Senator Nasheed, title to the bill was agreed to.

Senator Nasheed moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 231, introduced by Senator Kehoe, entitled:

An Act to repeal section 306.100, RSMo, and to enact in lieu thereof one new section relating to motorboats.

Was called from the Consent Calendar and taken up.

On motion of Senator Kehoe, **SB 231** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Dempsey LeVota Riddle—4

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 315**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 426**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 380**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 446**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

On behalf of Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Kehoe submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 56, SB 164, SS for SB 201, SB 216, SCS for SB 224, SB 256 and SCS for SB 326**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, and Fourth State Building Bond and Interest Fund, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 3**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be expended at public institutions of higher education that offer a tuition rate to any student with an unlawful immigration status in the United States that is less than the tuition rate charged to international students, and further provided that no scholarship

funds shall be expended on behalf of students with an unlawful immigration status in the United States.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 4**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be used to pay the costs of conferences or meetings held by the American Association of Motor Vehicle Administrators (AAMVA), travel to attend such conferences or meetings, participation with boards, committees, or administration of AAMVA, or for the collection or retention of individual data by AAMVA that violates any state law, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri by members of the Missouri Highways and Transportation Commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 5**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 6**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds may be expended to create, purchase, participate in, or require the acquisition of any credit, mitigation credit, or offset credit as a condition of acceptance, issuance, extension, or termination of a permit, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri by members of the Conservation Commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 7**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 8**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 9**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 10**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 11**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 12**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief

Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2015 and ending June 30, 2016.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 13**, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

On behalf of Senator Dempsey, Senator Richard offered Senate Resolution No. 610, regarding Ryan Zull, which was adopted.

Senator Walsh offered Senate Resolution No. 611, regarding John Ortwig, which was adopted.

Senator Richard offered Senate Resolution No. 612, regarding Yimin Ding, which was adopted.

Senator Walsh offered Senate Resolution No. 613, regarding the Greater North County Chamber of Commerce, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Dylan Doss, Homeschooler, his mother, Dora and Becky Dunn, Jefferson City; Shirley Wodohodsky and Debbie Akery, Dixon.

On behalf of Senator Pearce and himself, the President introduced to the Senate, Lillianne and Molly Teichman and Margo Smith, Warrensburg.

Senator Kehoe introduced to the Senate, teachers, Kim Pragman, Heather Dixon, Aimee Schmidt, and Sheri Holland, and eighty-seven fourth grade students from Blair Oaks Elementary School, Wardsville; and Kenley Mitchell, Julie Braun, Jacob Farley, Kendall Gerling and Maddie Twehus were made honorary pages.

Senator Cunningham introduced to the Senate, Alissa Johnson, Marshfield; Viktoriya Hryshchenko, Ukraine; and Yifei.Li, China.

Senator Wallingford introduced to the Senate, teachers, Zech Payne, Sydney Dzurny, Corey Campbell, Becky Stein, Sue Rees; parents, Amber Kingree, Kelly Monroe and Khristine Abernathy, and seventh grade students from Nell Holcomb Elementary School, Cape Girardeau.

SENATE CALENDAR

THIRTY-SEVENTH DAY-MONDAY, MARCH 16, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 542-Sater	SB 557-LeVota
SB 543-Schupp	SB 558-Brown
SB 544-Schaefer	SB 559-Chappelle-Nadal, et al
SB 545-Schaefer	SB 560-Chappelle-Nadal
SB 546-Schaefer	SB 561-Wasson
SB 547-Riddle	SB 562-Wieland
SB 548-Sifton	SB 563-Wieland
SB 549-Onder	SB 564-Kehoe
SB 550-Dixon	SB 565-Wallingford
SB 551-Hegeman	SB 566-Silvey
SB 552-Munzlinger	SB 567-Chappelle-Nadal, et al
SB 553-Munzlinger	SB 568-Munzlinger
SB 554-Munzlinger	SJR 13-Schaaf
SB 555-Emery	SJR 14-Dixon
SB 556-Pearce	SJR 15-Cunningham

HOUSE BILLS ON SECOND READING

HCS for HB 130	HB 100-Gosen
HCS for HB 50	HB 233-Franklin
HB 32-Hoskins	HB 41-Wood
HCS for HB 141	HB 179-Chipman
HB 29-Dugger	HB 533-Dugger

HCS for HB 388	HCS for HB 70
HB 149-Fitzpatrick	HCS for HB 187
HB 88-Walton Gray	HCS for HB 1
HB 361-Spencer	HCS for HB 2
HB 391-Gosen	HCS for HB 3
HB 400-Peters	HCS for HB 4
HB 402-Phillips	HCS for HB 5
HB 404-Phillips	HCS for HB 6
HB 562-Davis	HCS for HB 7
HB 111-Crawford	HCS for HB 8
HCS for HB 112	HCS for HB 9
HCS for HB 777	HCS for HB 10
HB 384-Flanigan	HCS for HB 11
HB 468-Berry	HCS for HB 12
HB 118-Burlison	HCS for HB 13

THIRD READING OF SENATE BILLS

- | | |
|---|-------------------------------------|
| 1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight) | 6. SCS for SB 56-Munzlinger |
| 2. SCS for SB 10-Schaaf | 7. SB 164-Sifton |
| 3. SCS for SB 119-Brown and
Chappelle-Nadal | 8. SS for SB 201-Dixon |
| 4. SCS for SB 152-Wallingford | 9. SB 216-Keaveny |
| 5. SS for SB 58-Dixon | 10. SCS for SB 224-Romine and Dixon |
| | 11. SB 256-Sater, et al |
| | 12. SCS for SB 326-Sater |

SENATE BILLS FOR PERFECTION

SB 172-Romine, with SCS	SB 341-Riddle, with SCS
SB 194-Richard, et al	SB 203-Dixon
SBs 34 & 105-Wallingford, with SCS	SBs 63 & 111-Sater and Nasheed, with SCS
SB 159-Parson	SBs 331 & 21-Libla, with SCS
SB 336-Kraus, with SCS	

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)	SB 142-Romine, with SCS & SS for SCS (pending)
SB 59-Dixon	

SB 227-Emery, with SS (pending)

SB 233-Kehoe, with SCS & SA 2 (pending)

SB 330-Parson

SB 424-Pearce, with SA 1 (pending)

SJR 7-Richard and Wallingford

CONSENT CALENDAR

Senate Bills

Reported 3/11

SB 457-Sater

SB 458-Sater

SB 392-Wieland

SB 340-Pearce, with SCS

SB 254-Kraus

SB 272-Riddle, et al

SB 318-Cunningham and Libla

Reported 3/12

SB 315-Dixon, with SCS

SB 426-Parson

SB 380-Wieland, with SCS

SB 446-Schupp and Brown

RESOLUTIONS

To be Referred

SCR 33-Curls

SCR 34-Emery

✓

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-SEVENTH DAY—MONDAY, MARCH 16, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Shout with joy to the Lord, all you lands; lift up your voice, rejoice and sing.” (Psalm 98:5)

Creator God, we do rejoice in the beauty and warmth of this day, giving thanks to the promise of spring and rebirth of the land. With such joy in our hearts we are energized to do the work You have given us and seek to move forward those bills that are needed and helpful, O Lord. So be with us this week and guide our thoughts and actions. In Your Holy Name we pray, O Lord. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, March 12, 2015 was read and approved.

Photographers from St. Louis Public Radio were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Libla offered Senate Resolution No. 614, regarding the Poplar Bluff Welcome Home Vietnam Veterans Day celebration, which was adopted.

Senator Schupp offered Senate Resolution No. 615, regarding the Sixty-fourth Wedding Anniversary of Mr. and Mrs. Saunders Schultz, which was adopted.

Senator Emery offered Senate Resolution No. 616, regarding Officer Ken Hitterman, which was adopted.

Senator Emery offered Senate Resolution No. 617, regarding Corporal John Sutcliffe, which was adopted.

Senator Emery offered Senate Resolution No. 618, regarding Sergeant Robert Agan, which was adopted.

Senator Emery offered Senate Resolution No. 619, regarding Communications Officer Angie Barbarick, which was adopted.

Senator Emery offered Senate Resolution No. 620, regarding Patrol Officer Zachary Lane, which was adopted.

Senator Emery offered Senate Resolution No. 621, regarding Trooper Caleb T. Swarz, which was adopted.

Senator Emery offered Senate Resolution No. 622, regarding Officer Phil Grabmiller, which was adopted.

Senator Emery offered Senate Resolution No. 623, regarding Patrolman Michael Betts, which was adopted.

Senator Emery offered Senate Resolution No. 624, regarding the Raymore Police Department Chaplain Program, which was adopted.

Senator Emery offered Senate Resolution No. 625, regarding Officer Richard Morris, which was adopted.

Senator Schatz offered Senate Resolution No. 626, regarding the Union Fire Protection District, which was adopted.

Senator Schatz offered Senate Resolution No. 627, regarding the Thomas Francis Church, Chesterfield, which was adopted.

Senator Schatz offered Senate Resolution No. 628, regarding Max Zebelman, Chesterfield, which was adopted.

Senator Sifton offered Senate Resolution No. 629, regarding Joseph Warren Hassing, Webster Groves, which was adopted.

Senator Sifton offered Senate Resolution No. 630, regarding Irvin J. Schmidt, which was adopted.

Senator Sifton offered Senate Resolution No. 631, regarding Michael Julius Kostro, Webster Groves, which was adopted.

Senator Sifton offered Senate Resolution No. 632, regarding Eugene Charles Forster, St. Louis, which was adopted.

Senator Richard offered Senate Resolution No. 633, regarding Bob Foos, which was adopted.

Senator Richard offered Senate Resolution No. 634, regarding Dale Switzer, which was adopted.

CONCURRENT RESOLUTIONS

Senator Schmitt offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 35

Whereas, it is important that school-age children engage in physical activity throughout the year; and

Whereas, the importance of physical activity in children is magnified in light of the increasing number of children who qualify as overweight or obese; and

Whereas, in order to combat the increased rate of obesity in children, it is crucial to focus attention on ensuring that children engage in physical activity, especially in the summer months where there is little to no organized physical activity provided through the schools; and

Whereas, increasing physical activity in children will lead to decreased numbers of overweight and obese children which, in turn, will lead to health care savings in the millions of dollars and encourage children to lead physically active lives; and

Whereas, the General Assembly passed House Bill 1603 in 2014 that designated the exercise commonly known as “jumping jacks” as the official exercise of the state of Missouri; and

Whereas, “jumping jacks” was invented by Missouri-born General John J. Pershing as a drill exercise for cadets when he was a tactical officer at West Point in the late 1800s and its importance as an exercise still exists today; and

Whereas, in order to celebrate “jumping jacks” as the state exercise, it is important for the citizens of this state to take a day and be encouraged to be physically active, including doing jumping jacks at various points in the day:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby designate May 13, 2015 as Jump Day and recommend that the citizens of the state engage in activities designed to highlight the importance of children being active, especially in the summer when school is not in session.

Senator Schmitt offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 36

Whereas, the tradition of backyard barbecuing is deeply ingrained in many Missouri families as a way to gather together to enjoy both food and fellowship; and

Whereas, many Missouri families enjoy backyard barbecuing through a variety of means, including the use of propane gas barbecue grills; and

Whereas, the Environmental Protection Agency has increasingly targeted homeowners in their quest to keep America’s air, water, and soil clean; and

Whereas, the Environmental Protection Agency recently announced that it is funding a University of California project targeted at limiting emissions from such propane gas barbecue grills through the use of a special tray to catch grease drippings, as well as a catalytic filtration system to decrease air pollution particulate matter; and

Whereas, the state of Missouri is highly opposed to burdensome regulations that may assault the tradition of backyard barbecuing and individual homeowners’ rights:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby strongly discourages the Environmental Protection Agency from promulgating any rule or regulation under the authority of the federal Clean Air Act regulating the use of individual propane gas barbecue grills; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the United States Environmental Protection Agency Administrator Gina McCarthy.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 1—Appropriations.

HCS for HB 2—Appropriations.

HCS for HB 3—Appropriations.

HCS for **HB 4**—Appropriations.

HCS for **HB 5**—Appropriations.

HCS for **HB 6**—Appropriations.

HCS for **HB 7**—Appropriations.

HCS for **HB 8**—Appropriations.

HCS for **HB 9**—Appropriations.

HCS for **HB 10**—Appropriations.

HCS for **HB 11**—Appropriations.

HCS for **HB 12**—Appropriations.

HCS for **HB 13**—Appropriations.

REFERRALS

President Pro Tem Dempsey referred **SCS for SB 10**, **SCS for SB 119**, **SCS for SB 56**, **SS for SB 201** and **SB 256** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **SCR 33** and **SCR 34** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR PERFECTION

Senator Pearce assumed the Chair.

Senator Parson moved that **SB 330** be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Parson offered **SS for SB 330**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 330

An Act to repeal sections 8.420 and 8.665, RSMo, and to enact in lieu thereof seven new sections relating to bonds issued by the state board of public buildings.

Senator Parson moved that **SS for SB 330** be adopted.

Senator Silvey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 330, Page 1, In the Title, Line 4 of the title, by striking all of said line; and

Further amend said bill, Page 10, Section 8.962, Line 12, by inserting after all of said line the following:

“33.542. Nothing in this chapter or any other section of law shall be construed to provide authority for the extension of existing bonds or any additional bonding authority to the executive branch without legislative or voter approval.

67.657. 1. Nothing contained in sections 67.650 to 67.658 shall impair the powers of any county, municipality or other political subdivision to acquire, own, operate, develop or improve any facility of the type the authority is given the right and power to own, operate, develop or improve.

2. Any county, municipality or other political subdivision or public agency is authorized to make gifts, donations, grants and contributions of money or real or personal property to the authority, whether such money or property is derived from tax revenues or from any other source.

3. The state of Missouri or any agency, department or instrumentality thereof and the county, the city, or any political subdivision, public agency or public body, or any combination thereof pursuant to sections 70.210 to 70.325, or otherwise, are authorized to enter into contracts, agreements, leases and subleases with each other, the authority and others to acquire, sell, convey, lease, sublease, own, operate, finance, develop or improve, or any combination thereof, any facility of the type the authority is given the right to construct, own, operate, develop or improve, including without limitation to agree to pay rents or other fees or charges, subject to annual appropriations, and to mortgage, pledge, assign, convey, or grant security in any interest which any such entity may have in such facility.

4. In addition to any other tax imposed by law, and notwithstanding the provisions of subdivision (2) of subsection 5 of section 67.619, to the contrary, the governing body of the county may submit to the voters of the county a tax not to exceed three and one-half percent on the amount of sales or charges for all sleeping rooms paid by the transient guests of hotels and motels situated within the county involved, and doing business within such county for the purpose of funding a regional convention and sports complex authority and for other recreational and entertainment purposes. If the governing body so orders, the election officials of the county shall submit a proposition to the voters of such county at the next statewide or countywide election or at a special election called for that purpose, such special election to be held at the expense of the regional convention and sports complex authority. Such proposition shall be submitted to the voters in substantially the following form at such election:

Shall a sales tax of percent on the amount of sales or charges for all rooms paid by the transient guests of hotels and motels be levied in the county of to provide certain funds for the regional convention and sports complex authority and for general revenue purposes?

☐ YES

☐ NO

In the event that a majority of the voters voting on such proposition in such county at such election approve such proposition, then such sales tax shall be in full force and effect as of the first day of the calendar quarter following the calendar quarter in which the election was held.

5. On and after the effective day of any tax authorized under the provisions of subsection 4 of this section, the governing body of the county may adopt one of the two following provisions for the collection and administration of the tax:

(1) The collector of revenue in such county may collect the tax pursuant to rules and regulations promulgated by the governing body of the county. The tax to be collected by the collector of revenue, less an amount not less than one percent and not more than three percent which may be retained for costs of collection, shall be remitted to the county and deposited in a special trust fund to be known as the “County Convention and Recreation Trust Fund” not later than thirty days following the end of each month;

(2) The governing body of the county may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in subsection 4 of this section. In the event the governing body enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in subsection 4 of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of such tax, and the director of revenue shall collect such additional tax. The tax shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain not less than one percent nor more than three percent for cost of collection and shall transfer all other moneys collected for such tax to the county for deposit in the county convention and recreation trust fund.

6. All funds deposited in the county convention and recreation trust fund shall, subject to annual appropriation, be disbursed by the county only for deposit in the regional convention and sports complex fund to pay the county's share of any rent, fees or charges payable pursuant to any contract, agreement, lease or sublease provided for in subsection 3 of this section; provided that in the event the county chooses to participate in a qualifying project and enters into any such contract, agreement, lease or sublease, then any funds in excess of its obligations hereunder which are deposited in the county convention and recreation trust fund in any year pursuant to subsection 4 of this section may be appropriated and disbursed by the county for general revenue purposes.

7. Notwithstanding any provision of subsection 6 of this section to the contrary, funds deposited in the county convention and recreation trust fund pursuant to subsection 5 of this section in excess of amounts payable as the county's share of any rent, fees or charges payable pursuant to any contract, agreement, lease or sublease provided for in subsection 3 of this section, including reasonable reserves for future payments of such amounts, shall not be appropriated or paid except for funding of the regional convention and sports complex authority or for regional convention and tourism purposes to the regional convention and visitors commission established by section 67.601 if it is providing management and operations services for a facility of the regional convention and sports complex authority of which the state of Missouri, the city, and St. Louis County are lessees pursuant to a contract, agreement or sublease with such lessees.

8. In addition to any other tax imposed by law, and notwithstanding the provisions of subdivision (1) of subsection 5 of section 67.619 to the contrary, the governing body of the city may repeal a present two-dollar license fee per occupied room levied in such city on hotels and motels and submit to the voters of the city a tax not to exceed three and one-half percent on the amount of sales or charges for all sleeping rooms paid by the transient guests of hotels and motels situated within the city involved, and doing business within such city for the purposes of funding debt service, lease payments or other expenses of an existing convention center, including any southern expansion thereof, of such city, a regional convention and sports complex authority or a regional convention and visitors commission or any combination thereof as herein provided. If the governing body so orders, the election officials of the city shall submit a proposition to the voters of such city at the next statewide or citywide election or at a special election called for that purpose, such special election to be held at the expense of the city. Such proposition shall be submitted to the voters in substantially the following form at such election:

Shall the present two-dollar license fee per occupied room levied in the city of on hotels and motels be repealed and a sales tax of percent on the amount of sales or charges for all rooms paid by the transient guests of hotels and motels be levied in the city of to provide funds for convention, tourism and sports facilities purposes and agencies?

☐ YES☐ NO

In the event that a majority of the voters voting on such proposition in such city at such election approve such proposition, then such two-dollar license fee per occupied room shall be repealed and such sales tax shall be in full force and effect as of the first day of the calendar quarter following the calendar quarter in which the election was held.

9. On and after the effective date of any tax authorized under the provisions of subsection 8 of this section, the governing body of the city may adopt one of the two following provisions for the collection and administration of the tax:

(1) The collector of revenue in such city may collect the tax pursuant to rules and regulations promulgated by the governing body of the city. The tax to be collected by the collector of revenue, less an amount not less than one percent and not more than three percent which may be retained for costs of collection, shall be remitted to the city and deposited in a special trust fund to be known as the “City Convention and Sports Facility Trust Fund” not later than thirty days following the end of each month;

(2) The governing body of the city may enter into an agreement with the director of revenue of the state of Missouri for the purpose of collecting the tax authorized in subsection 8 of this section. In the event the governing body enters into an agreement with the director of revenue of the state of Missouri for the collection of the tax authorized in subsection 8 of this section, the director of revenue shall perform all functions incident to the administration, collection, enforcement and operation of such tax, and the director of revenue shall collect such additional tax. The tax shall be collected and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue, and the director of revenue shall retain not less than one percent nor more than three percent for cost of collection and shall transfer all other moneys collected for such tax to the city for deposit in the convention and sports facility trust fund.

10. All funds deposited in the city convention and sports facility trust fund shall, subject to annual appropriation, be disbursed by the city only for first, debt service, lease payments or other expenses related to an existing convention center, including any southern expansion thereof, of such city, second, to pay the city’s share of any rent, fees or charges payable pursuant to any lease provided for in subsection 3 of this section and third, the remainder, if any, annually to the regional convention and visitors commission established by section 67.601 if it is providing management and operations services for a facility of the regional convention and sports complex authority of which the state of Missouri, the city, and St. Louis County are lessees pursuant to a contract, agreement or sublease with such lessees.

11. Nothing in this section shall be construed to provide authority for the extension of existing bonds or any additional bonding authority to the executive branch without legislative or voter approval.

Section B. Because immediate action is necessary to ensure fiscal stability for the state, the enactment of section 33.542 and the repeal and reenactment of section 67.657 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 33.542 and the repeal and reenactment of section 67.657 of this act shall be in full force and effect upon its passage and

approval.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Parson offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 330, Page 5, Section 8.665, Line 15, by striking the number “fifteen” and inserting in lieu thereof the following: “**ten**”.

Senator Parson moved that the above amendment be adopted, which motion prevailed.

Senator Parson moved that **SS** for **SB 330**, as amended, be adopted, which motion prevailed.

On motion of Senator Parson, **SS** for **SB 330**, as amended, was declared perfected and ordered printed.

Senator Romine moved that **SB 172**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 172**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 172

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to establishment of a career and technical education certificate.

Was taken up.

Senator Romine moved that **SCS** for **SB 172** be adopted.

Senator Munzlinger offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 172, Page 1, Section 170.029, Line 1, by inserting immediately after the word “education” the following: “, **in consultation with the career and technical education advisory council as established in section 178.550,**”.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Romine moved that **SCS** for **SB 172**, as amended, be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SB 172**, as amended, was declared perfected and ordered printed.

Senator Dixon assumed the Chair.

Senator Richard moved that **SB 194** be taken up for perfection, which motion prevailed.

On motion of Senator Richard, **SB 194** was declared perfected and ordered printed.

Senator Wallingford moved that **SB 34** and **SB 105**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 34** and **105**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 34 and 105

An Act to repeal sections 115.135, 115.275, 115.277, 115.287, 115.291, 115.912, and 115.940, RSMo, and to enact in lieu thereof six new sections relating to military and overseas voter registration.

Was taken up.

Senator Wallingford moved that **SCS** for **SBs 34** and **105** be adopted, which motion prevailed.

On motion of Senator Wallingford, **SCS** for **SBs 34** and **105** was declared perfected and ordered printed.

SB 159 was placed on the Informal Calendar.

Senator Kraus moved that **SB 336**, with **SCS**, be taken up for perfection, which motion prevailed.

Senator Kehoe assumed the Chair.

SCS for **SB 336**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 336

An Act to repeal section 143.191, RSMo, and to enact in lieu thereof one new section relating to income tax withholding on tips.

Was taken up.

Senator Kraus moved that **SCS** for **SB 336** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 336** was declared perfected and ordered printed.

At the request of Senator Riddle, **SB 341**, with **SCS** was placed on the Informal Calendar.

SB 203 was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 16, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Pat Ann Danner Meyer, Democrat, 4403 Northeast Staley Road, Kansas City, Clay County, Missouri 64156, as a member of the Credit Union Commission, for a term ending January 1, 2021, and until her successor is duly appointed and qualified; vice Stephanie M. Grise, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 506**, entitled:

An Act to repeal section 135.700, RSMo, and to enact in lieu thereof one new section relating to the tax credit for wine production.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 709**, entitled:

An Act to amend chapter 374, RSMo, by adding thereto two new sections relating to informational documents issued by the department of insurance, financial institutions and professional registration.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 458**, entitled:

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to school safety.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 529**, entitled:

An Act to amend chapter 382, RSMo, by adding thereto eleven new sections relating to own risk and solvency assessment in connection with the business of insurance, with a delayed effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 592**, entitled:

An Act to repeal sections 375.534, 375.1070, and 375.1072, RSMo, and to enact in lieu thereof five new

sections relating to insurance company investments.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 553**, entitled:

An Act to repeal section 301.130, RSMo, and to enact in lieu thereof one new section relating to motorcycle license plates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 514**, entitled:

An Act to repeal section 99.845, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 878**, entitled:

An Act to repeal section 590.750, RSMo, and to enact in lieu thereof one new section relating to the commissioning of corporate security advisors, with an existing penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HB 130**—Transportation, Infrastructure and Public Safety.

HCS for **HB 50**—Small Business, Insurance and Industry.

HB 32—Ways and Means.

HCS for **HB 141**—Agriculture, Food Production and Outdoor Resources.

HB 29—Agriculture, Food Production and Outdoor Resources.

HB 100—Agriculture, Food Production and Outdoor Resources.

HB 233—Agriculture, Food Production and Outdoor Resources.

HB 41—Education.

HB 179—Education.

HB 533—Financial and Governmental Organizations and Elections.

HCS for HB 388—Agriculture, Food Production and Outdoor Resources.

HB 149—Transportation, Infrastructure and Public Safety.

HB 88—General Laws and Pensions.

HB 361—General Laws and Pensions.

HB 391—Small Business, Insurance and Industry.

HB 400—General Laws and Pensions.

HB 402—General Laws and Pensions.

HB 404—General Laws and Pensions.

HB 562—Transportation, Infrastructure and Public Safety.

HB 111—Ways and Means.

HCS for HB 112—Financial and Governmental Organizations and Elections.

HCS for HB 777—Ways and Means.

HB 384—Appropriations.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HCS for HB 16**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe assumed the Chair.

INTRODUCTIONS OF GUESTS

Senator Libla introduced to the Senate, sponsors, Mitch Davis and Michelle Massey, and students, Ben Soeter, Stephanie Hobbs, Jose Ventura, Juan Ventura, Jesus Zavala, Alexis Reyes-Mortero, Jose Reyes-Mortero, Kayleigh Schalk, Ethan Glick, Olivia Hurst, Kaetlin Lamberson, Emma Cooper, Dustin Cook, Adeesh Mishra, Hannah Keith, Abby Odom, Jamie Hobbs and Madalyn Southards, Poplar Bluff High School.

Senator Holsman introduced to the Senate, Judge Jalilah Otto and Judge Justine Elisa Del Muro, Kansas City.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-EIGHTH DAY—TUESDAY, MARCH 17, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 542-Sater	SB 557-LeVota
SB 543-Schupp	SB 558-Brown
SB 544-Schaefer	SB 559-Chappelle-Nadal, et al
SB 545-Schaefer	SB 560-Chappelle-Nadal
SB 546-Schaefer	SB 561-Wasson
SB 547-Riddle	SB 562-Wieland
SB 548-Sifton	SB 563-Wieland
SB 549-Onder	SB 564-Kehoe
SB 550-Dixon	SB 565-Wallingford
SB 551-Hegeman	SB 566-Silvey
SB 552-Munzlinger	SB 567-Chappelle-Nadal, et al
SB 553-Munzlinger	SB 568-Munzlinger
SB 554-Munzlinger	SJR 13-Schaaf
SB 555-Emery	SJR 14-Dixon
SB 556-Pearce	SJR 15-Cunningham

HOUSE BILLS ON SECOND READING

HB 468-Berry	HB 458-Allen
HB 118-Burlison	HB 529-Gosen
HCS for HB 70	HCS for HB 592
HCS for HB 187	HCS for HB 553
HB 506-Zerr	HB 514-Leara
HCS for HB 709	HB 878-Rhoads

THIRD READING OF SENATE BILLS

- | | |
|---|--|
| 1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight) | 3. SCS for SB 119-Brown and
Chappelle-Nadal (In Fiscal Oversight) |
| 2. SCS for SB 10-Schaaf (In Fiscal Oversight) | 4. SCS for SB 152-Wallingford |

- | | |
|--|---|
| 5. SS for SB 58-Dixon | 9. SB 216-Keaveny |
| 6. SCS for SB 56-Munzlinger
(In Fiscal Oversight) | 10. SCS for SB 224-Romine and Dixon |
| 7. SB 164-Sifton | 11. SB 256-Sater, et al (In Fiscal Oversight) |
| 8. SS for SB 201-Dixon (In Fiscal Oversight) | 12. SCS for SB 326-Sater |

SENATE BILLS FOR PERFECTION

SBs 63 & 111-Sater and Nasheed, with SCS

SBs 331 & 21-Libla, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 16 (Schaefer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SB 37-Romine, with SCS & SA 1 (pending) | SB 227-Emery, with SS (pending) |
| SB 59-Dixon | SB 233-Kehoe, with SCS & SA 2 (pending) |
| SB 142-Romine, with SCS & SS for SCS
(pending) | SB 341-Riddle, with SCS |
| SB 159-Parson | SB 424-Pearce, with SA 1 (pending) |
| SB 203-Dixon | SJR 7-Richard and Wallingford |

CONSENT CALENDAR

Senate Bills

Reported 3/11

- | | |
|-------------------------|-----------------------------|
| SB 457-Sater | SB 254-Kraus |
| SB 458-Sater | SB 272-Riddle, et al |
| SB 392-Wieland | SB 318-Cunningham and Libla |
| SB 340-Pearce, with SCS | |

Reported 3/12

SB 315-Dixon, with SCS

SB 426-Parson

SB 380-Wieland, with SCS

SB 446-Schupp and Brown

RESOLUTIONS

To be Referred

SCR 35-Schmitt

SCR 36-Schmitt

✓

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-EIGHTH DAY—TUESDAY, MARCH 17, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Bless the Lord, O my soul, and all that is within me, bless his holy name.” (Psalm 103:1)

Lord God, thank You for Your hand of blessing. We yield our hands to You so that through us our state may be blessed. Our hope and life abide in You and we submit to Your wise counsel. And, fill us with love to listen and carefully speak words of healing, forgiving and thanksgiving. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from St. Louis Public Radio were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 635, regarding Guy Slay, Saint Louis, which was adopted.

Senator Nasheed offered Senate Resolution No. 636, regarding Anthony Shahid, Saint Louis, which was adopted.

Senator Nasheed offered Senate Resolution No. 637, regarding the Better Family Life Cultural, Educational, and Business Center, Saint Louis, which was adopted.

Senators Wasson and Richard offered Senate Resolution No. 638, regarding Daniel K. Salisbury, Joplin, which was adopted.

Senator Parson offered Senate Resolution No. 639, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Richard Farmer, Bolivar, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SBs 34 and 105; SCS for SB 172; SB 194; SS for SB 330; and SCS for SB 336**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

At the request of Senator Sater, **SB 63** and **SB 111**, with **SCS**, were placed on the Informal Calendar.

At the request of Senator Libla, **SB 331** and **SB 21**, with **SCS**, were placed on the Informal Calendar.

Senator Pearce assumed the Chair.

Senator Riddle moved that **SB 341**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for SB 341, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 341

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to juveniles with problem sexual behavior.

Was taken up.

Senator Riddle moved that **SCS for SB 341** be adopted.

Senator Dixon offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 341, Page 1, Section 210.148, Line 9, by inserting at the end of said line the following: “**For the purposes of family assessments performed under this section, the alleged abuse does not have to be committed by a person responsible for the care,**

custody, and control of the child.”.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Riddle moved that **SCS for SB 341**, as amended, be adopted, which motion prevailed.

On motion of Senator Riddle, **SCS for SB 341**, as amended, was declared perfected and ordered printed.

Senator Dixon moved that **SB 203** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 203, Page 2, Section 29.235, Line 51, by inserting after all of said line the following:

“29.305. 1. The state auditor shall make a one-time report on the costs, both direct and indirect, born by county and state governments in the prosecution and defense of at least ten cases filed on or after January 1, 1990, in which a death sentence was sought and was imposed and compare such costs to the costs of an equal number of first degree murder cases filed on or after January 1, 1990, in which a death sentence was not sought and the defendant was sentenced to life without the possibility for parole and an equal number of first degree murder cases filed on or after January 1, 1990, in which a death sentence was sought, but the defendant was sentenced to life without the possibility for parole at the conclusion of a sentencing phase. The auditor may make additional comparisons including other sentences imposed for homicide offenses.

2. In selecting the cases in which a death sentence was not imposed, the auditor shall use a scientific method of random sampling that includes all cases filed on or after January 1, 1990.

3. The comparison shall include the following costs estimated by the auditor to be related to the cases examined and compared under subsection 1 of this section:

(1) Staff salaries, benefits, and operating expenses for the attorney general's office, including any contracts for assistance;

(2) Staff salaries, benefits, and operating expenses for the department of corrections, including costs related to housing inmates sentenced to death, carrying out the death penalty, and any contracts for assistance;

(3) Staff salaries, including salaries of prosecuting and circuit attorneys, benefits, operating expenses charged to counties, including expenses in preparing for the presentation of aggravating and mitigating circumstances with respect to sentencing proceedings in death penalty cases, expert witness fees, additional investigations, and contracts for assistance;

(4) Staff salaries, benefits, and operating expenses for the Missouri state public defender system; and

(5) Staff salaries, benefits, and operating expenses for the supreme court, courts of appeals, and circuit courts.

4. The auditor shall present the report to the governor, members of the general assembly, and the Missouri supreme court by June 30, 2017.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

Senator Schaefer offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Bill No. 203, Page 2, Section 29.305, Line 8, by inserting after all of said line the following:

“(3) All costs related to providing health care for inmates sentenced to life without the possibility for parole;”; and

Further renumber the remaining subdivisions accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

SA 1, as amended, was again taken up.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Dixon, **SB 203**, as amended, was declared perfected and ordered printed.

Senator Romine moved that **SB 142**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SB 142** was again taken up.

At the request of Senator Romine, **SS** for **SCS** for **SB 142** was withdrawn.

Senator Romine offered **SS No. 2** for **SCS** for **SB 142**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 142

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to implementation impact reports.

Senator Romine moved that **SS No. 2** for **SCS** for **SB 142** be adopted.

At the request of Senator Romine, **SB 142**, with **SCS** and **SS No. 2** for **SCS** (pending), was placed on the Informal Calendar.

THIRD READING OF SENATE BILLS

SCS for **SB 152**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 152

An Act to repeal sections 29.380, 260.200, 260.225, 260.235, 260.250, 260.320, 260.325, 260.330,

260.335, and 260.345, RSMo, and to enact in lieu thereof eleven new sections relating to solid waste.

Was taken up by Senator Wallingford.

On motion of Senator Wallingford, **SCS** for **SB 152** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senators

Parson Schaefer—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SB 58**, introduced by Senator Dixon, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 58

An Act to repeal sections 8.597, 21.440, 21.445, 21.450, 21.455, 21.460, 21.465, 21.530, 21.535, 21.537, 21.830, 21.835, 21.850, 21.920, 30.953, 30.954, 30.956, 30.959, 30.962, 30.965, 30.968, 30.971, 33.150, 33.710, 33.850, 37.250, 43.518, 99.863, 99.971, 99.1057, 160.530, 167.195, 191.828, 191.934, 192.632, 215.261, 215.262, 217.550, 217.567, 313.001, 320.092, 338.321, 348.439, 361.120, and 630.010, RSMo, and section 105.955 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and to enact in lieu thereof eleven new sections relating to the existence of certain committees.

Was taken up.

On motion of Senator Dixon, **SS** for **SB 58** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 164, introduced by Senator Sifton, entitled:

An Act to repeal section 513.430, RSMo, and to enact in lieu thereof one new section relating to the exemption from attachment and execution of matured life insurance proceeds.

Was taken up.

On motion of Senator Sifton, **SB 164** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Silvey—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sifton, title to the bill was agreed to.

Senator Sifton moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 216, introduced by Senator Keaveny, entitled:

An Act to repeal sections 515.240, 515.250, and 515.260, RSMo, and to enact in lieu thereof thirty-four new sections relating to commercial receiverships.

Was taken up.

On motion of Senator Keaveny, **SB 216** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Silvey—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 224**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 224

An Act to repeal section 160.545, RSMo, and to enact in lieu thereof one new section relating to eligibility criteria for reimbursements from the A+ schools program, with an emergency clause.

Was taken up by Senator Romine.

On motion of Senator Romine, **SCS** for **SB 224** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Holsman	Kehoe
Kraus	Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Wallingford	Wasson

Wieland—25

NAYS—Senators

Chappelle-Nadal	Curls	Keaveny	LeVota	Nasheed	Schupp	Sifton	Walsh—8
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Absent—Senator Silvey—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaaf	Schaefer	Schatz	Schmitt	Wallingford	Wasson	Wieland—24

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	LeVota	Nasheed	Schupp	Sifton
Walsh—9							

Absent—Senator Silvey—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 326**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 326

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to the authority for counties to decrease their budgets.

Was taken up by Senator Sater.

On motion of Senator Sater, **SCS** for **SB 326** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 93**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following report:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 300**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS** for **HB 259**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 146**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 109**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 322**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 316**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 230**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 358**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 302**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 278**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

REFERRALS

President Pro Tem Dempsey referred **SCR 35** and **SCR 36** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Dempsey referred the Gubernatorial Appointment appearing on page 583 of the Senate Journal for Monday, March 16, 2015, to the Committee on Gubernatorial Appointments.

President Pro Tem Dempsey referred **SB 194** to the Committee on Governmental Accountability and Fiscal Oversight.

RE-REFERRALS

President Pro Tem Dempsey re-referred **HB 179** to the Committee on Transportation, Infrastructure and Public Safety.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 457**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 392**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 203** and **SCS** for **SB 341**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Pearce assumed the Chair.

HOUSE BILLS ON THIRD READING

HCS for **HB 16**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2015.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **HCS** for **HB 16** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Holsman—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 640, regarding David B. Nichols, which was adopted.

Senator Keaveny offered Senate Resolution No. 641, regarding Robert Whipple Fletcher, Saint Louis, which was adopted.

Senator Keaveny offered Senate Resolution No. 642, regarding George Porter Waller, Saint Louis, which was adopted.

Senator Hegeman offered Senate Resolution No. 643, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John Titus, Clearmont, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Chappelle-Nadal introduced to the Senate, representatives of Express Scripts, St. Louis.

Senator Silvey introduced to the Senate, his daughter, Kennedy Allyson, Kansas City; and Kennedy was made an honorary page.

Senator Brown introduced to the Senate, teachers, Sandy Letterman, Sarah Fischer, Cathy Beeker and David Swantner, and students from Camdenton High School.

Senator Curls introduced to the Senate, members of Delta Sigma Theta Sorority, Inc.

Senator Schmitt introduced to the Senate, Conor Lopiccolo, Quinn Unrau, Ryan Quarnstrom, Jackson Ullmann, Jake Burns, Conner Groves, Zach Jones, Jonathan Strickland and Tom Sothers, DeSmet High School, Creve Coeur.

Senator Wallingford introduced to the Senate, Patricia Heisserer; and seventh grade students from St. Vincent DePaul School, Cape Girardeau.

Senator Libla introduced to the Senate, representatives of the Missouri Transportation Construction Coalition.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-NINTH DAY—WEDNESDAY, MARCH 18, 2015

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 542-Sater
SB 543-Schupp

SB 544-Schaefer
SB 545-Schaefer

SB 546-Schaefer	SB 559-Chappelle-Nadal, et al
SB 547-Riddle	SB 560-Chappelle-Nadal
SB 548-Sifton	SB 561-Wasson
SB 549-Onder	SB 562-Wieland
SB 550-Dixon	SB 563-Wieland
SB 551-Hegeman	SB 564-Kehoe
SB 552-Munzlinger	SB 565-Wallingford
SB 553-Munzlinger	SB 566-Silvey
SB 554-Munzlinger	SB 567-Chappelle-Nadal, et al
SB 555-Emery	SB 568-Munzlinger
SB 556-Pearce	SJR 13-Schaaf
SB 557-LeVota	SJR 14-Dixon
SB 558-Brown	SJR 15-Cunningham

HOUSE BILLS ON SECOND READING

HB 468-Berry	HB 458-Allen
HB 118-Burlison	HB 529-Gosen
HCS for HB 70	HCS for HB 592
HCS for HB 187	HCS for HB 553
HB 506-Zerr	HB 514-Leara
HCS for HB 709	HB 878-Rhoads

THIRD READING OF SENATE BILLS

- | | |
|--|---|
| 1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight) | 6. SB 256-Sater, et al (In Fiscal Oversight) |
| 2. SCS for SB 10-Schaaf
(In Fiscal Oversight) | 7. SCS for SBs 34 & 105-Wallingford |
| 3. SCS for SB 119-Brown and
Chappelle-Nadal (In Fiscal Oversight) | 8. SCS for SB 172-Romine |
| 4. SCS for SB 56-Munzlinger
(In Fiscal Oversight) | 9. SB 194-Richard, et al
(In Fiscal Oversight) |
| 5. SS for SB 201-Dixon (In Fiscal Oversight) | 10. SS for SB 330-Parson |
| | 11. SCS for SB 336-Kraus |
| | 12. SB 203-Dixon |
| | 13. SCS for SB 341-Riddle |

SENATE BILLS FOR PERFECTION

- | | |
|--------------------------|----------------------------|
| 1. SB 93-Emery, with SCS | 2. SB 300-Silvey, with SCS |
|--------------------------|----------------------------|

- | | |
|------------------------------|-----------------------------|
| 3. SB 146-Pearce, with SCS | 7. SB 230-Romine, with SCS |
| 4. SB 109-Schaefer, with SCS | 8. SB 358-Kehoe |
| 5. SB 322-Dempsey, with SCS | 9. SB 302-Riddle, with SCS |
| 6. SB 316-Brown | 10. SB 278-Schatz, with SCS |

HOUSE BILLS ON THIRD READING

HCS for HB 259 (Munzlinger)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)	SB 227-Emery, with SS (pending)
SB 59-Dixon	SB 233-Kehoe, with SCS & SA 2 (pending)
SBs 63 & 111-Sater and Nasheed, with SCS	SBs 331 & 21-Libla, with SCS
SB 142-Romine, with SCS & SS#2 for SCS (pending)	SB 424-Pearce, with SA 1 (pending)
SB 159-Parson	SJR 7-Richard and Wallingford

CONSENT CALENDAR

Senate Bills

Reported 3/11

SB 458-Sater	SB 272-Riddle, et al
SB 340-Pearce, with SCS	SB 318-Cunningham and Libla
SB 254-Kraus	

Reported 3/12

SB 315-Dixon, with SCS	SB 380-Wieland, with SCS
SB 426-Parson	SB 446-Schupp and Brown



Journal of the Senate

FIRST REGULAR SESSION

THIRTY-NINTH DAY—WEDNESDAY, MARCH 18, 2015

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“Be careful then how you live, not as unwise people but as wise, making the most of the time...” (Ephesians 5:15)

We continue the walk of the Lenten season, for it is a time to seek to know You and ourselves before You. So we pray, O Lord, for Your help to move beyond surface talks and living so we may make a true connection with You and others, that we may hear Your voice above all others, receiving Your wisdom. Knowing You we have the opportunity to use such wisdom to affect how we live each day and honor You daily. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	LeVota	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators

Vacancies—None

RESOLUTIONS

Senator Sater offered Senate Resolution No. 644, regarding the Sixty-fifth Wedding Anniversary of Don and Margaret Beeson, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 645, regarding the Ninetieth Birthday of Estell “Shorty” Maloney, Cassville, which was adopted.

Senator Sater offered Senate Resolution No. 646, regarding Violet Dickenson, Reeds Spring, which was adopted.

Senator Schatz offered Senate Resolution No. 647, regarding Harry E. Goodwin, Wildwood, which was adopted.

Senator Onder offered Senate Resolution No. 648, regarding William J. Grafeman, O’Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 649, regarding Donald Glastetter, Washington, which was adopted.

Senator Schupp offered Senate Resolution No. 650, regarding Dr. Bernard S. Loitman, Creve Coeur, which was adopted.

Senator Schupp offered Senate Resolution No. 651, regarding David Dale Schaper, Ballwin, which was adopted.

Senator Schupp offered Senate Resolution No. 652, regarding William George Niemetz, Overland, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Sater moved that **SB 63** and **SB 111**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SBs 63** and **111**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 63 and 111

An Act to repeal section 195.015 as enacted by senate bills nos. 215 & 58, eighty-fifth general assembly, first regular session, section 195.050 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 195.050 as enacted by senate bills nos. 215 & 58, eighty-fifth general assembly, first regular session, RSMo, and to enact in lieu thereof eleven new sections relating to a prescription drug monitoring program, with penalty provisions.

Was taken up.

Senator Sater moved that **SCS** for **SBs 63** and **111** be adopted.

Senator Sater offered **SS** for **SCS** for **SBs 63** and **111**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 63 & 111

An Act to repeal section 195.015 as enacted by senate bills nos. 215 & 58, eighty-fifth general assembly, first regular session, section 195.050 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 195.050 as enacted by senate bills nos. 215 & 58, eighty-fifth general assembly, first regular session, RSMo, and to enact in lieu thereof twelve new sections relating to a prescription drug monitoring program, with penalty provisions.

Senator Sater moved that **SS** for **SCS** for **SBs 63** and **111** be adopted.

Senator Wallingford assumed the Chair.

Senator Sater offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 63 and 111, Page 9, Section 195.450, Line 18, by inserting after the word “discharge” the following: “**from inpatient care**”.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Sater, **SB 63** and **SB 111**, with **SCS** and **SS** for **SCS**, as amended (pending), were placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 613**, entitled:

An Act to repeal sections 140.170, 140.310, 140.340, 140.350, 140.405, 140.410, and 140.420, RSMo, and to enact in lieu thereof eight new sections relating to the collection of delinquent real estate taxes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 119**, entitled:

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to public water systems, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 152**, entitled:

An Act to repeal sections 566.210, 566.211, 566.212, and 566.213, RSMo, and to enact in lieu thereof four new sections relating to sexual trafficking of a child, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 33**, entitled:

An Act to repeal sections 173.260 and 287.243, RSMo, and to enact in lieu thereof two new sections relating to survivor benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 276**, entitled:

An Act to repeal section 513.430, RSMo, and to enact in lieu thereof one new section relating to property exemptions from attachment.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 95**, entitled:

An Act to repeal sections 452.315 and 452.317, RSMo, and to enact in lieu thereof two new sections relating to reimbursement of insurance costs during dissolution of marriage proceedings.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Dempsey referred **SB 203** and **HCS** for **HB 259** to the Committee on Governmental Accountability and Fiscal Oversight.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 542—Seniors, Families and Children.

SB 543—Rules, Joint Rules, Resolutions and Ethics.

SB 544—Transportation, Infrastructure and Public Safety.

SB 545—Jobs, Economic Development and Local Government.

SB 546—Education.

SB 547—Governmental Accountability and Fiscal Oversight.

SB 548—Education.

SB 549—General Laws and Pensions.

SB 550—Transportation, Infrastructure and Public Safety.

SB 551—Jobs, Economic Development and Local Government.

SB 552—Transportation, Infrastructure and Public Safety.

SB 553—Agriculture, Food Production and Outdoor Resources.

SB 554—Ways and Means.

SB 555—Judiciary and Civil and Criminal Jurisprudence.

SB 556—Transportation, Infrastructure and Public Safety.

SB 557—Agriculture, Food Production and Outdoor Resources.

SB 558—Veterans' Affairs and Health.

SB 559—Judiciary and Civil and Criminal Jurisprudence.

SB 560—Judiciary and Civil and Criminal Jurisprudence.

SB 561—Judiciary and Civil and Criminal Jurisprudence.

SB 562—Seniors, Families and Children.

SB 563—Governmental Accountability and Fiscal Oversight.

SB 564—Small Business, Insurance and Industry.

SB 565—Judiciary and Civil and Criminal Jurisprudence.

SB 566—Veterans' Affairs and Health.

SB 567—Judiciary and Civil and Criminal Jurisprudence.

SB 568—Financial and Governmental Organizations and Elections.

On motion of Senator Kehoe, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS** for **HB 16**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 269**, entitled:

An Act to repeal section 306.100, RSMo, and to enact in lieu thereof one new section relating to motorboats.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 758**, entitled:

An Act to repeal section 67.402, RSMo, and to enact in lieu thereof one new section relating to nuisance abatement ordinances.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 403**, entitled:

An Act to amend chapter 42, RSMo, by adding thereto one new section relating to the designation of Missouri as a Purple Heart State.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 401**, entitled:

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to amending a county budget.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 108**, entitled:

An Act to repeal section 516.105, RSMo, and to enact in lieu thereof one new section relating to the statute of limitations for liability of mental health professionals.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 133**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of

a memorial bridge.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 650**, entitled:

An Act to repeal section 307.128, RSMo, and to enact in lieu thereof one new section relating to auxiliary lighting on motorcycles.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 778**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to 22q awareness week.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 861**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of multiple sclerosis awareness week in Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Senator Schmitt assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Libla moved that **SB 331** and **SB 21**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SBs 331** and **21**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILLS NOS. 331 and 21

An Act to repeal section 44.100, RSMo, and to enact in lieu thereof three new sections relating to law enforcement officers.

Was taken up.

Senator Libla moved that **SCS** for **SBs 331** and **21** be adopted.

Senator Libla offered **SS** for **SCS** for **SBs 331** and **21**, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 331 and 21**

An Act to repeal sections 44.100 and 610.100, RSMo, and to enact in lieu thereof four new sections relating to law enforcement officers.

Senator Libla moved that **SS** for **SCS** for **SBs 331** and **21** be adopted.

At the request of Senator Libla, **SB 331** and **SB 21**, with **SCS** and **SS** for **SCS** (pending), were placed on the Informal Calendar.

SECOND READING OF SENATE BILLS

The following Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SJR 13—Governmental Accountability and Fiscal Oversight.

SJR 14—Financial and Governmental Organizations and Elections.

SJR 15—Rules, Joint Rules, Resolutions and Ethics.

RE-REFERRALS

President Pro Tem Dempsey re-referred **SB 547** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTIONS OF GUESTS

Senator Holsman introduced to the Senate, his wife, Robyn, Kansas City.

On behalf of Senator Pearce, the President introduced to the Senate, David Morris and Steve Radcliff, Livingston County.

Senator Kehoe introduced to the Senate, teachers, Laura Vandike and Dayna Limbach and fourth grade students from Cole R-V/Eugene Elementary School.

Senator Dixon introduced to the Senate, Dr. Paul Thomlinson, Andrea Long, and Jordan Browning, Springfield.

On behalf of Senators Schaefer, Kehoe and himself, Senator Pearce introduced to the Senate, Records of Deeds, Jan Jones, Johnson County, Jamie Nichols, Saline County and Nora Dietzel, Boone County; and Records, Nancy Boles, Morgan County and Deb Wiles, Miller County.

Senator Chappelle-Nadal introduced to the Senate, Jonathan and Benjamin Kuhlman, Ferguson.

Senator Wieland introduced to the Senate, Nick and Angela Torretti, and their children, Nico and Lola, Arnold; and Nico and Lola were made honorary pages.

Senator Pearce introduced to the Senate, Gabe Stumbaugh, Concordia.

Senator Keaveny introduced to the Senate, former State Representative Tom Villa and Gregg Daly, St. Louis.

Senator Schupp introduced to the Senate, teachers, Katherine Korte and Steven Shaw, Pattonville School District, St. Louis.

Senator Munzlinger introduced to the Senate, his wife, Michele, Williamstown.

Senator Kehoe introduced to the Senate, Laura Hardecke, Gasconade County; Julie Voss, Cole County; and Catherine Mulhern, Arizona.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FORTIETH DAY—THURSDAY, MARCH 19, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 468-Berry	HB 152-Haahr
HB 118-Burlison	HCS for HB 33
HCS for HB 70	HB 276-Cornejo
HCS for HB 187	HCS for HB 95
HB 506-Zerr	HB 269-Miller
HCS for HB 709	HB 758-Rowland
HB 458-Allen	HB 403-Phillips
HB 529-Gosen	HB 401-Fraker
HCS for HB 592	HB 108-McCaherty
HCS for HB 553	HB 133-Rowland
HB 514-Leara	HB 650-Cornejo
HB 878-Rhoads	HB 778-Ruth
HCS for HB 613	HB 861-Fitzwater (49)
HCS for HB 119	

THIRD READING OF SENATE BILLS

- | | |
|--|--|
| 1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight) | 5. SS for SB 201-Dixon (In Fiscal Oversight) |
| 2. SCS for SB 10-Schaaf (In Fiscal Oversight) | 6. SB 256-Sater, et al (In Fiscal Oversight) |
| 3. SCS for SB 119-Brown and
Chappelle-Nadal (In Fiscal Oversight) | 7. SCS for SBs 34 & 105-Wallingford |
| 4. SCS for SB 56-Munzlinger
(In Fiscal Oversight) | 8. SCS for SB 172-Romine |
| | 9. SB 194-Richard, et al (In Fiscal Oversight) |
| | 10. SS for SB 330-Parson |
| | 11. SCS for SB 336-Kraus |

12. SB 203-Dixon (In Fiscal Oversight)

13. SCS for SB 341-Riddle

SENATE BILLS FOR PERFECTION

1. SB 93-Emery, with SCS

2. SB 300-Silvey, with SCS

3. SB 146-Pearce, with SCS

4. SB 109-Schaefer, with SCS

5. SB 322-Dempsey, with SCS

6. SB 316-Brown

7. SB 230-Romine, with SCS

8. SB 358-Kehoe

9. SB 302-Riddle, with SCS

10. SB 278-Schatz, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 259 (Munzlinger)

(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)

SB 59-Dixon

SBs 63 & 111-Sater and Nasheed, with SCS
& SS for SCS (pending)SB 142-Romine, with SCS & SS#2 for SCS
(pending)

SB 159-Parson

SB 227-Emery, with SS (pending)

SB 233-Kehoe, with SCS & SA 2 (pending)

SBs 331 & 21-Libla, with SCS & SS for
SCS (pending)

SB 424-Pearce, with SA 1 (pending)

SJR 7-Richard and Wallingford

CONSENT CALENDAR

Senate Bills

Reported 3/11

SB 458-Sater

SB 340-Pearce, with SCS

SB 254-Kraus

SB 272-Riddle, et al

SB 318-Cunningham and Libla

Reported 3/12

SB 315-Dixon, with SCS
SB 426-Parson

SB 380-Wieland, with SCS
SB 446-Schupp and Brown

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Journal of the Senate

FIRST REGULAR SESSION

FORTIETH DAY—THURSDAY, MARCH 19, 2015

The Senate met pursuant to adjournment.

President Pro Tem Dempsey in the Chair.

Reverend Carl Gauck offered the following prayer:

“For everything there is a season and a time for every matter under heaven.” (Ecclesiastes 3:1)

Almighty God, You have given us the gift of time and we pray we have made good use of it as we now prepare for a week of rest. We are grateful to work diligently, but are also appreciative to have time for recreation that brings rest to stressed bodies and quiet for our souls. Bless our time with loved ones and encourage us to truly enjoy the time we have with them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	LeVota	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

Absent—Senators—None

Absent with leave—Senator Keaveny—1

Vacancies—None

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 653, regarding Melvin H. Bachmann, St. Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 654, regarding James Russell Jones, St. Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 655, regarding Nicholas James Totoro, St. Louis, which was adopted.

Senator Hegeman offered Senate Resolution No. 656, regarding Gerthel Carlock, Albany, which was adopted.

Senator Hegeman offered Senate Resolution No. 657, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Frank Fletchall, Savannah, which was adopted.

Senator Cunningham offered Senate Resolution No. 658, regarding Keith Wollard, Wright County, which was adopted.

Senator Cunningham offered Senate Resolution No. 659, regarding Shari McCallister, Houston, which was adopted.

Senator Sifton offered Senate Resolution No. 660, regarding James F. Price, St. Louis, which was adopted.

Senator Pearce offered Senate Resolution No. 661, regarding the 2015 NCAA Division II Indoor Track and Field Champions Jennies Track and Field Team, which was adopted.

Senator Parson offered Senate Resolution No. 662, regarding the Sixtieth Anniversary of the Center for Human Services, Sedalia, which was adopted.

Senator Parson offered Senate Resolution No. 663, regarding John Allen Bloess, Sedalia, which was adopted.

Senator Kehoe assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS No. 2** for **SCS** for **SB 24**, entitled:

An Act to repeal section 208.040, RSMo, and to enact in lieu thereof four new sections relating to nonmedical public assistance.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24, Page 1, Section 208.026, Line 1, e number “**208.067**,”; and

Further amend said bill, Page 6, Section 208.040, Line 108, by deleting the word “**life-time**” and inserting in lieu thereof the word “**lifetime**”; and

Further amend said bill, page, and section, Line 109, by deleting the word “**life-time**” and inserting in lieu thereof the word “**lifetime**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 3**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 7**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS No. 2** for **HB 63** and has taken up and passed **SS** for **SCS** for **HCS No. 2** for **HB 63**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 531**, entitled:

An Act to repeal section 407.926, RSMo, and to enact in lieu thereof one new section relating to child-resistant packaging for liquid nicotine containers, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 104**, entitled:

An Act to amend chapter 173, RSMo, by adding thereto two new sections relating to the student freedom of association act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 194**; **SCS** for **SB 10**; **SCS** for **SB 119**; **HCS** for **HB 259**; and **SB 256**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Major J. Bret Johnson, as Superintendent of the Missouri State Highway Patrol; and

Michael Thomas Waters, Republican, as a member of the State Highways and Transportation Commission.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 259**, entitled:

An Act to amend chapter 261, RSMo, by adding thereto six new sections relating to the dairy industry.

Was taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **HCS** for **HB 259** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators

Emery Onder—2

Absent—Senators—None

Absent with leave—Senator Keaveny—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Sater moved that the Senate refuse to concur in **HCS** for **SS No. 2** for **SCS** for **SB 24**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

THIRD READING OF SENATE BILLS

SCS for **SB 10**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 10**

An Act to repeal section 192.667, RSMo, and to enact in lieu thereof one new section relating to infection reporting, with existing penalty provisions.

Was taken up by Senator Schaaf.

On motion of Senator Schaaf, **SCS** for **SB 10** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Keaveny—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 119**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 119**

An Act to repeal sections 196.970, 196.973, 196.976, 196.981, 196.984, and 556.001, RSMo, section 196.979 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 196.979 as enacted by house bill no. 1687, ninety-third general assembly, second regular session, and to enact in lieu thereof nine new sections relating to the prescription drug repository, with existing penalty provisions.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS** for **SB 119** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Keaveny—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 256, introduced by Senators Sater, Nasheed and Chappelle-Nadal, entitled:

An Act to amend chapter 454, RSMo, by adding thereto one new section relating to state debt owed by noncustodial parents.

Was taken up by Senator Sater.

On motion of Senator Sater, **SB 256** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Keaveny—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for SBs 34 and 105, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 34 and 105

An Act to repeal sections 115.135, 115.275, 115.277, 115.287, 115.291, 115.912, and 115.940, RSMo, and to enact in lieu thereof six new sections relating to military and overseas voter registration.

Was taken up by Senator Wallingford.

On motion of Senator Wallingford, **SCS for SBs 34 and 105** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Keaveny—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for SB 172, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 172

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to establishment of a career and technical education certificate.

Was taken up by Senator Romine.

On motion of Senator Romine, **SCS for SB 172** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
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Holsman	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Keaveny—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 194, introduced by Senators Richard, Holsman and Curls, entitled:

An Act to repeal section 135.155, RSMo, and to enact in lieu thereof one new section relating to tax credits for business facilities.

Was taken up by Senator Richard.

On motion of Senator Richard, **SB 194** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Keaveny—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Richard, title to the bill was agreed to.

Senator Richard moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SB 330, introduced by Senator Parson, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 330

An Act to repeal sections 8.420, 8.665, and 67.657, RSMo, and to enact in lieu thereof nine new sections relating to bonds, with an emergency clause for certain sections.

Was taken up.

On motion of Senator Parson, **SS** for **SB 330** was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman	Kehoe
LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce	Richard	Riddle
Romine	Sater	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—26						

NAYS—Senators

Brown	Emery	Kraus	Onder	Schaaf—5
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Absent—Senators

Schaefer	Schmitt—2
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Absent with leave—Senator Keaveny—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schatz
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators—None

Absent—Senators

Schaefer	Schmitt—2
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Absent with leave—Senator Keaveny—1

Vacancies—None

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 336**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 336

An Act to repeal section 143.191, RSMo, and to enact in lieu thereof one new section relating to income tax withholding on tips.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SCS** for **SB 336** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schatz
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators—None

Absent—Senators

Schaefer Schmitt—2

Absent with leave—Senator Keaveny—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 341**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 341

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to juveniles with problem sexual behavior.

Was taken up by Senator Riddle.

On motion of Senator Riddle, **SCS** for **SB 341** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Keaveny—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 325**, entitled:

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to tax deductions for out-of-state businesses relocating to Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 430**, entitled:

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to materials produced and disseminated at taxpayer expense.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 985**, entitled:

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to eligibility data verification for public assistance programs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 149**, entitled:

An Act to amend chapter 144, RSMo, by adding thereto one new section relating to tax incentives for data storage.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Parson moved that **SS** for **SCS** for **SB 149**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SCS** for **SB 149**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 149

An Act to amend chapter 144, RSMo, by adding thereto one new section relating to tax incentives for data storage.

Was taken up.

Senator Parson moved that **HCS** for **SS** for **SCS** for **SB 149** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators

Emery	Onder	Schupp—3
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Absent—Senators—None

Absent with leave—Senator Keaveny—1

Vacancies—None

On motion of Senator Parson, **HCS** for **SS** for **SCS** for **SB 149** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt

Sifton Silvey Wallingford Walsh Wasson Wieland—30

NAYS—Senators
Emery Onder Schupp—3

Absent—Senators—None

Absent with leave—Senator Keaveny—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **HCS for HB 42**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 473**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 452**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **SB 210**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **SB 167**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HB 384**, begs leave to report that it has considered the same and recommends that the bill do pass with Senate Committee Amendment No. 1.

SENATE COMMITTEE AMENDMENT NO. 1

Amend House Bill No. 384, Page 2, Section 32.383, Lines 40-42, by striking said lines and inserting in lieu thereof the following:

“8. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state’s statutes, shall be deposited in the tax amnesty fund created in subsection 9 of this section. Moneys in the fund shall only be expended for:

(1) An increase in the rate of reimbursement to MO HealthNet providers for the fiscal year ending June 30, 2016, above the rate in effect for the fiscal year ending June 30, 2015; and

(2) An increase in the number of adults receiving dental coverage under MO HealthNet in the fiscal year ending June 30, 2016, above the number of adults receiving dental coverage in the fiscal year ending June 30, 2015.

9. There is hereby created in the state treasury the “Tax Amnesty Fund”, which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the purpose provided in subsection 8 of this section. Any moneys remaining in the fund at the end of the biennium shall revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.”; and further amend said section by renumbering the remaining subsections accordingly.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following report:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 372**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 475**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 13**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 14**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 15**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 17**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 22**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 25**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 26**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 26

Whereas, human trafficking is a form of slavery in which psychological and physical coercion is used to force people to perform commercial sex acts, house-keeping, farm work, and other types of labor and services; and

Whereas, the human trafficking industry generates one hundred fifty billion dollars in annual profits throughout the world on the backs of an estimated twenty-one million victims, including five and a half million children; and

Whereas, despite the efforts of dozens of nonprofit organizations dedicated to fighting human trafficking, it is the fastest growing criminal industry in the world:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create the Human Trafficking Task Force; and

Be It Further Resolved that the mission of the task force shall be to raise awareness of the human trafficking problem in Missouri and provide organizations and agencies that enforce human trafficking laws and assist victims with a central place to share information; and

Be It Further Resolved that the task force shall consist of the following members:

- (1) Two members of the Senate to be appointed by the President Pro Tempore of the Senate;
- (2) Two members of the House of Representatives to be appointed by the Speaker of the House of Representatives;
- (3) The Attorney General or his or her designee;
- (4) The Director of the Department of Public Safety or his or her designee;
- (5) A circuit court judge who has experience handling juvenile court matters, appointed by the President Pro Tempore of the Senate;
- (6) A prosecuting or circuit attorney, appointed by the Speaker of the House of Representatives;
- (7) A juvenile officer from a circuit court, appointed by the President Pro Tempore of the Senate;
- (8) The Commissioner of Education or his or her designee;
- (9) The Director of the Department of Social Services or his or her designee;
- (10) The Director of the Department of Mental Health or his or her designee;
- (11) One representative from the Office of Child Advocate, appointed by the President Pro Tempore of the Senate;
- (12) One medical provider with professional expertise in child abuse and medical forensics, appointed by the Speaker of the House of Representatives;
- (13) The chief of a municipal police force appointed by the President Pro Tempore of the Senate;
- (14) A county sheriff to be appointed by the Speaker of the House of Representatives; and
- (15) Six representatives from geographically diverse non-governmental organizations that assist victims of human trafficking, three of whom shall be appointed by the President Pro Tempore of the Senate and three of whom shall be appointed by the Speaker of the House of Representatives; and

Be It Further Resolved that the staffs of Senate Research, House Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

Be It Further Resolved that the task force, its members, and any staff assigned to the task force shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Task Force or any subcommittee thereof; and

Be It Further Resolved that the task force shall meet within two months from adoption of this resolution; and

Be It Further Resolved that the task force shall report a summary of its activities and any recommendations for legislation to the General Assembly by January 1, 2017; and

Be It Further Resolved that the Human Trafficking Task Force is authorized to function during the legislative interim of both the first and second regular sessions of the 98th General Assembly, as authorized by State v. Atterbury, 300 S.W.2d 806 (Mo. 1957); and

Be It Further Resolved that the task force shall terminate on January 1, 2017; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Attorney General, the Director of the Department of Public Safety, the Director of the Department of Mental Health, the Commissioner of Education, the Director of the Department of Social Services, and the Office of Child Advocate.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 29**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred

SCR 30, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 30

Whereas, the Commerce Clause (Article I, Section 8) of the United States Constitution was designed to ensure free trade between the states by preventing any state from putting a tariff or other restriction on the goods from another state; and

Whereas, the Commerce Clause is an enumerated power granted to Congress and is also a restriction imposed on states from enacting legislation that places an undue burden on interstate commerce; and

Whereas, California voters adopted Proposition 2 to their state constitution in 2008 requiring the state's egg producers to switch to "enriched cages" or non-confinement operations, in a campaign led and funded by the Humane Society of the United States, or HSUS; and

Whereas, HSUS is a national animal rights group that has aggressively pursued an agenda intended to decrease, and eventually eliminate, the public's consumption of animal protein; and

Whereas, in 2010, at the behest of HSUS, the California legislature passed AB 1437 which was signed into law by Governor Arnold Schwarzenegger, prohibiting the sale of eggs from other states that do not meet the requirements of the 2008 Proposition 2; and

Whereas, together, California Proposition 2 and AB 1437 violate the Commerce Clause of the United States Constitution by preventing free trade amongst the states; and

Whereas, forcing Missouri farmers to utilize "enriched cages" or non-confinement operations in order to do business in California will negatively impact the Missouri economy and food supply:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby condemns, in the strongest possible terms, California's anti-trade actions and the negative impact it has on Missouri farmers, and calls upon the legislature of that state to repeal AB 1437 and urges the voters of California to reconsider and repeal Proposition 2; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the California President Pro Tem of the Senate, the California Senate Minority Leader, the California Speaker of the Assembly, and the California Assembly Minority Leader.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 31**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 32**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 15**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 21**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 386**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 345**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 499**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 524**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 80**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 199**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 20**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 190**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 197**, begs

leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 445**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 456**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 244**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 389**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 155**, begs leave to report that it has considered the same and recommends that the bill do pass.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 722**, entitled:

An Act to amend chapter 260, RSMo, by adding thereto one new section relating to the provision of paper and plastic bags.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 132**, entitled:

An Act to repeal sections 142.815 and 144.030, RSMo, and to enact in lieu thereof two new sections relating to motor fuel tax exemptions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 299**, entitled:

An Act to repeal sections 144.021 and 144.450, RSMo, and to enact in lieu thereof two new sections relating to sales tax.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 440**, entitled:

An Act to repeal section 144.080, RSMo, and to enact in lieu thereof one new section relating to payment of sales tax, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SS** for **SCS** for **HCS No. 2** for **HB 63**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 556**, entitled:

An Act to repeal sections 211.031 and 211.036, RSMo, and to enact in lieu thereof three new sections relating to the children's division.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 635**, entitled:

An Act to repeal section 210.1014, RSMo, and to enact in lieu thereof two new sections relating to the Amber Alert system.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 502**, entitled:

An Act to repeal section 143.221, RSMo, and to enact in lieu thereof one new section relating to withholding tax returns.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator LeVota offered Senate Resolution No. 664, regarding John “Lefty” Orcar, Jefferson City, which was adopted.

Senator Riddle offered Senate Resolution No. 665, regarding E. Ray Hall, Vandalia, which was adopted.

Senator Riddle offered Senate Resolution No. 666, regarding Dr. George B. “Barney” Forsythe, Fulton, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Jan Carter, St. Thomas; Brian and Denise Carter, and their children, Brysen and Briese, St. Louis; and Brysen and Briese were made honorary pages.

Senator Emery introduced to the Senate, Annie, Julia and Joey Fallon, Sydney, Australia; and Annie, Julia and Joey were made honorary pages.

Senator Schaefer introduced to the Senate, Georgia Atkins, Columbia; and Georgia was made an honorary page.

Senator Parson introduced to the Senate, Tiffany Long, Mindy Mitchell, Haley Magnuson, Deanna Courts, Chris McClay and Scott Burton, Bolivar Leadership Class.

Senator Schmitt introduced to the Senate, Lou Cole and Ricarda Orcino, and their son, Sam Orcino, Fenton; and Sam was made an honorary page.

Senator Wieland introduced to the Senate, Abby Snodgrass, High Ridge.

Senator Silvey introduced to the Senate, his parents David and Debbie Silvey, and his nephew, Xavier, Gladstone; and Xavier was made an honorary page.

Senator Richard introduced to the Senate, Dan and Stephanie Hensley, members of Girl Scout Troop 26258, Joplin; and members of Girl Scout Troop 26539, Carl Junction, Webb City and Joplin; and Kennedy DeRuy was made an honorary page.

Senator Schaaf introduced to the Senate, teacher Rebecca Elder-McCaulley, and fifteen students from West-Boulevard School, Columbia.

On motion of Senator Richard, the Senate adjourned until 10:00 a.m., Friday, March 27, 2015.

SENATE CALENDAR

FORTY-FIRST DAY—FRIDAY, MARCH 27, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 468-Berry	HB 403-Phillips
HB 118-Burlison	HB 401-Fraker
HCS for HB 70	HB 108-McCaherty
HCS for HB 187	HB 133-Rowland
HB 506-Zerr	HB 650-Cornejo
HCS for HB 709	HB 778-Ruth
HB 458-Allen	HB 861-Fitzwater (49)
HB 529-Gosen	HB 531-Solon
HCS for HB 592	HCS for HB 104
HCS for HB 553	HCS for HB 325
HB 514-Leara	HB 430-Curtman
HB 878-Rhoads	HB 985-Haefner
HCS for HB 613	HCS for HB 722
HCS for HB 119	HCS for HB 132
HB 152-Haahr	HCS for HB 299
HCS for HB 33	HB 440-Koenig
HB 276-Cornejo	HB 556-Wood
HCS for HB 95	HCS for HB 635
HB 269-Miller	HB 502-Kelley
HB 758-Rowland	

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)

SCS for SB 56-Munzlinger
(In Fiscal Oversight)

SS for SB 201-Dixon (In Fiscal Oversight)

SB 203-Dixon (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 93-Emery, with SCS
2. SB 300-Silvey, with SCS
3. SB 146-Pearce, with SCS
4. SB 109-Schaefer, with SCS
5. SB 322-Dempsey, with SCS
6. SB 316-Brown
7. SB 230-Romine, with SCS
8. SB 358-Kehoe
9. SB 302-Riddle, with SCS
10. SB 278-Schatz, with SCS
11. SB 473-Schaaf, with SCS
12. SB 452-Schmitt, et al
13. SB 210-Schaefer, with SCS
14. SB 167-Schaaf, with SCS
15. SB 372-Keaveny, with SCS

16. SB 475-Dempsey
17. SB 386-Keaveny
18. SB 345-Wasson, with SCS
19. SB 499-Wasson, with SCS
20. SB 524-Cunningham
21. SB 80-Dixon, with SCS
22. SB 199-Dixon, et al, with SCS
23. SB 20-Kraus
24. SB 190-Curls, with SCS
25. SB 197-Brown, with SCS
26. SB 445-Romine, with SCS
27. SB 456-Kehoe, with SCS
28. SB 244-Schmitt
29. SB 389-Silvey and Walsh
30. SB 155-Nasheed

HOUSE BILLS ON THIRD READING

HCS for HB 42, with SCS (Pearce)

HB 384-Flanigan, with SCA 1

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)
SB 59-Dixon
SBs 63 & 111-Sater and Nasheed, with SCS
& SS for SCS (pending)
SB 142-Romine, with SCS & SS#2 for SCS
(pending)
SB 159-Parson

SB 227-Emery, with SS (pending)
SB 233-Kehoe, with SCS & SA 2 (pending)
SBs 331 & 21-Libla, with SCS & SS for
SCS (pending)
SB 424-Pearce, with SA 1 (pending)
SJR 7-Richard and Wallingford

CONSENT CALENDAR

Senate Bills

Reported 3/11

SB 458-Sater
SB 340-Pearce, with SCS
SB 254-Kraus

SB 272-Riddle, et al
SB 318-Cunningham and Libla

Reported 3/12

SB 315-Dixon, with SCS
SB 426-Parson

SB 380-Wieland, with SCS
SB 446-Schupp and Brown

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

SS#2 for SCS for SB 24-Sater, with HCS,
as amended (Senate requests House
recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 13-Curls
SCR 14-Schaefer
SCR 15-Riddle
SCR 17-Hegeman
SCR 22-Schaefer
SCR 25-Munzlinger
SCR 26-Dempsey, with SCS

SCR 29-Onder
SCR 30-Kehoe, with SCS
SCR 31-Cunningham
SCR 32-Hegeman
HCR 15-Roden (Wieland)
HCR 21-Miller

Journal of the Senate

FIRST REGULAR SESSION

FORTY-FIRST DAY—FRIDAY, MARCH 27, 2015

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

RESOLUTIONS

On behalf of Senator Cunningham, Senator Kehoe offered Senate Resolution No. 667, regarding Jim Jones, Webster County, which was adopted.

On behalf of Senator Riddle, Senator Kehoe offered Senate Resolution No. 668, regarding Benjamin D. Ehlenbeck, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 669, regarding the One Hundredth Birthday of Raymond Hagan, which was adopted.

On behalf of Senator Cunningham, Senator Kehoe offered Senate Resolution No. 670, regarding Johnny R. Cooper, Marshfield, which was adopted.

On behalf of Senator Parson, Senator Kehoe offered Senate Resolution No. 671, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ernest “Chris” and Laurel Zimmerschied, which was adopted.

On behalf of Senator Pearce, Senator Kehoe offered Senate Resolution No. 672, regarding the Eighty-sixth Birthday of Marilyn L. Paris, Hale, which was adopted.

On behalf of Senator Pearce, Senator Kehoe offered Senate Resolution No. 673, regarding Jacob Andrew Fuller, Kingsville, which was adopted.

On behalf of Senator Pearce, Senator Kehoe offered Senate Resolution No. 674, regarding Trey Potter, Rayville, which was adopted.

On behalf of Senator Pearce, Senator Kehoe offered Senate Resolution No. 675, regarding Jude Buxton, Polo, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **SS** for **SCS** for **SB 12**, entitled:

An Act to repeal sections 262.900, 275.352, 277.040, 281.065, 304.180, 442.571, and 537.325, RSMo, and to enact in lieu thereof eight new sections relating to agriculture.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 12, Page 5, Section 262.900, Line 138, by deleting the number “(13)” and inserting in lieu thereof the following:

“[(13)](15)”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 589**, entitled:

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to the MO HealthNet program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 578, 574 and 584**, entitled:

An Act to repeal section 170.011, RSMo, and to enact in lieu thereof two new sections relating to civics education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 766**, entitled:

An Act to amend chapter 354, RSMo, by adding thereto one new section relating to health maintenance organizations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, March 30, 2015.

SENATE CALENDAR

FORTY-SECOND DAY—MONDAY, MARCH 30, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 468-Berry	HB 401-Fraker
HB 118-Burlison	HB 108-McCaherty
HCS for HB 70	HB 133-Rowland
HCS for HB 187	HB 650-Cornejo
HB 506-Zerr	HB 778-Ruth
HCS for HB 709	HB 861-Fitzwater (49)
HB 458-Allen	HB 531-Solon
HB 529-Gosen	HCS for HB 104
HCS for HB 592	HCS for HB 325
HCS for HB 553	HB 430-Curtman
HB 514-Leara	HB 985-Haefner
HB 878-Rhoads	HCS for HB 722
HCS for HB 613	HCS for HB 132
HCS for HB 119	HCS for HB 299
HB 152-Haahr	HB 440-Koenig
HCS for HB 33	HB 556-Wood
HB 276-Cornejo	HCS for HB 635
HCS for HB 95	HB 502-Kelley
HB 269-Miller	HB 589-Hough
HB 758-Rowland	HCS for HBs 578, 574, & 584
HB 403-Phillips	HCS for HB 766

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce (In Fiscal Oversight)	SS for SB 201-Dixon (In Fiscal Oversight)
SCS for SB 56-Munzlinger (In Fiscal Oversight)	SB 203-Dixon (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------|-----------------------------------|
| 1. SB 93-Emery, with SCS | 16. SB 475-Dempsey |
| 2. SB 300-Silvey, with SCS | 17. SB 386-Keaveny |
| 3. SB 146-Pearce, with SCS | 18. SB 345-Wasson, with SCS |
| 4. SB 109-Schaefer, with SCS | 19. SB 499-Wasson, with SCS |
| 5. SB 322-Dempsey, with SCS | 20. SB 524-Cunningham |
| 6. SB 316-Brown | 21. SB 80-Dixon, with SCS |
| 7. SB 230-Romine, with SCS | 22. SB 199-Dixon, et al, with SCS |
| 8. SB 358-Kehoe | 23. SB 20-Kraus |
| 9. SB 302-Riddle, with SCS | 24. SB 190-Curls, with SCS |
| 10. SB 278-Schatz, with SCS | 25. SB 197-Brown, with SCS |
| 11. SB 473-Schaaf, with SCS | 26. SB 445-Romine, with SCS |
| 12. SB 452-Schmitt, et al | 27. SB 456-Kehoe, with SCS |
| 13. SB 210-Schaefer, with SCS | 28. SB 244-Schmitt |
| 14. SB 167-Schaaf, with SCS | 29. SB 389-Silvey and Walsh |
| 15. SB 372-Keaveny, with SCS | 30. SB 155-Nasheed |

HOUSE BILLS ON THIRD READING

HCS for HB 42, with SCS (Pearce)

HB 384-Flanigan, with SCA 1

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 37-Romine, with SCS & SA 1 (pending) | SB 227-Emery, with SS (pending) |
| SB 59-Dixon | SB 233-Kehoe, with SCS & SA 2 (pending) |
| SBs 63 & 111-Sater and Nasheed, with SCS | SBs 331 & 21-Libla, with SCS & SS for |
| & SS for SCS (pending) | SCS (pending) |
| SB 142-Romine, with SCS & SS#2 for SCS | SB 424-Pearce, with SA 1 (pending) |
| (pending) | SJR 7-Richard and Wallingford |
| SB 159-Parson | |

CONSENT CALENDAR

Senate Bills

Reported 3/11

- | | |
|-------------------------|-----------------------------|
| SB 458-Sater | SB 272-Riddle, et al |
| SB 340-Pearce, with SCS | SB 318-Cunningham and Libla |
| SB 254-Kraus | |

Reported 3/12

SB 315-Dixon, with SCS
SB 426-Parson

SB 380-Wieland, with SCS
SB 446-Schupp and Brown

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 12-Munzlinger, with
HCS, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

SS#2 for SCS for SB 24-Sater, with HCS,
as amended (Senate requests House
recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 13-Curls
SCR 14-Schaefer
SCR 15-Riddle
SCR 17-Hegeman
SCR 22-Schaefer
SCR 25-Munzlinger
SCR 26-Dempsey, with SCS

SCR 29-Onder
SCR 30-Kehoe, with SCS
SCR 31-Cunningham
SCR 32-Hegeman
HCR 15-Roden (Wieland)
HCR 21-Miller (Kehoe)

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-SECOND DAY—MONDAY, MARCH 30, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

”All your works shall give thanks to you, O Lord, and all your faithful shall bless you.” (Psalm 145:10)

We do give You thanks O Lord, for the week to be recreated and rested from the stress we encounter here. We thank You for this wonderful new day, crisp morning and blue skies and say it is a wonderful day to be alive. We thank You for this holy week of the Christian year and prepare for the celebration of new life You offer. May we value the opportunities of each day and find our walk in Your presence, pleasing in Your sight. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Thursday, March 19, 2015 and Friday, March 27, 2015 were read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 676, regarding Nathan Riney, Advance, which was adopted.

Senator Wallingford offered Senate Resolution No. 677, regarding Don Thieret, Perryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 678, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John Titus, Clearmont, which was adopted.

Senator Wasson offered Senate Resolution No. 679, regarding Ron Mark, which was adopted.

Senator Kehoe offered Senate Resolution No. 680, regarding Cody A. Mueller, Eldon, which was adopted.

Senator Cunningham offered Senate Resolution No. 681, regarding the death of Edward Donald Noland, Jr., Marshfield, which was adopted.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 19, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Lane J. Roberts, 1801 East Natalie Lane, Joplin, Jasper County, Missouri 64801, as Director of the Department of Public Safety, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 19, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jo Wanda Bozeman, Democrat, 701 Cedar Bluff Court, Manchester, Saint Louis County, Missouri 63021, as a member of the Saint Louis County Board of Election Commissioners, for a term ending January 10, 2017, and until her successor is duly appointed and qualified; vice Richard H. Kellett, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 19, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Christopher W. Hughes, 28183 Rucker Lane, Keytesville, Chariton County, Missouri 65261, as a member of the Sentencing and Corrections Oversight Commission, for a term ending March 11, 2019, and until his successor is duly appointed and qualified; vice, RSMo. 217.147.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

THIRD READING OF SENATE BILLS

SB 458, introduced by Senator Sater, entitled:

An Act to repeal sections 338.270 and 338.347, RSMo, and to enact in lieu thereof two new sections relating to the renewal of licenses issued by the board of pharmacy.

Was called from the Consent Calendar and taken up.

On motion of Senator Sater, **SB 458** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 340, with **SCS**, entitled:

An Act to repeal section 473.663, RSMo, and to enact in lieu thereof one new section relating to the determination of heirship.

Was called from the Consent Calendar and taken up by Senator Pearce.

SCS for **SB 340**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 340

An Act to repeal section 473.663, RSMo, and to enact in lieu thereof one new section relating to the determination of heirship.

Was taken up.

Senator Pearce moved that **SCS** for **SB 340** be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 340** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 254, introduced by Senator Kraus, entitled:

An Act to repeal section 301.3097, RSMo, and to enact in lieu thereof one new section relating to the World War I memorial trust fund.

Was called from the Consent Calendar and taken up.

On motion of Senator Kraus, **SB 254** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder

Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 272, introduced by Senator Riddle, et al, entitled:

An Act to repeal section 304.190, RSMo, and to enact in lieu thereof one new section relating to municipal commercial zones.

Was called from the Consent Calendar and taken up by Senator Riddle.

On motion of Senator Riddle, **SB 272** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 318, introduced by Senators Cunningham and Libla, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

Was called from the Consent Calendar and taken up by Senator Cunningham.

On motion of Senator Cunningham, **SB 318** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 315, with **SCS**, entitled:

An Act to repeal section 162.481, RSMo, and to enact in lieu thereof one new section relating to urban school districts.

Was called from the Consent Calendar and taken up by Senator Dixon.

SCS for **SB 315**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 315

An Act to repeal section 162.481, RSMo, and to enact in lieu thereof one new section relating to urban school districts.

Was taken up.

Senator Dixon moved that **SCS** for **SB 315** be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS** for **SB 315** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer

Schatz Schmitt Schupp Sifton Silvey Wallingford Walsh Wasson
 Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 426, introduced by Senator Parson, entitled:

An Act to repeal section 630.140, RSMo, and to enact in lieu thereof one new section relating to community mental health liaisons.

Was called from the Consent Calendar and taken up.

Senator Romine assumed the Chair.

On motion of Senator Parson, **SB 426** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 380, with **SCS**, entitled:

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to the money follows

the person demonstration program.

Was called from the Consent Calendar and taken up by Senator Wieland.

SCS for SB 380, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 380**

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to the money follows the person demonstration program.

Was taken up.

Senator Wieland moved that **SCS for SB 380** be adopted, which motion prevailed.

On motion of Senator Wieland, **SCS for SB 380** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 446, introduced by Senators Schupp and Brown, entitled:

An Act to repeal section 301.451, RSMo, and to enact in lieu thereof one new section relating to Purple Heart license plates.

Was called from the Consent Calendar and taken up by Senator Schupp.

On motion of Senator Schupp, **SB 446** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schupp, title to the bill was agreed to.

Senator Schupp moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Sater moved that **SB 63** and **SB 111**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SBs 63** and **111** was again taken up.

Senator Kraus offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 63 and 111, Page 15, Section 195.456, Line 18, by striking the words “one year” and inserting in lieu thereof the following: “**ninety days**”; and further amend line 20 by striking the words “one year” and inserting in lieu thereof the following: “**ninety days**”.

Senator Kraus moved that the above amendment be adopted.

Senator Holsman offered **SA 1** to **SA 2**:

SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 63 and 111, Page 1, Line 3, by striking the word “ninety” and inserting in lieu thereof the following: “**one hundred eighty**”; and further amend line 5 by striking the word “ninety” and inserting in lieu thereof the following “**one hundred eighty**”.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

SA 2, as amended, was again taken up.

Senator Kraus moved that **SA 2**, as amended, be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Nasheed offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 63 and 111, Page 14,

Section 195.456, Line 21, by inserting after all of said line the following:

“(5) Medical examiners and coroners for the purpose of investigating the cause of death of any person under the jurisdiction of the medical examiner or coroner;”; and

Further renumber the remaining subdivisions accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 63 and 111, Page 14, Section 195.456, Line 8, by inserting after the word “persons” the following: **“and under the following circumstances”**; and further amend line 20 by inserting after the second use of the word “a” the following: **“court issued”**.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Sater offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 63 and 111, Page 14, Section 195.456, Lines 12-16, by striking all of said lines and inserting in lieu thereof the following:

“(2) The state board of pharmacy, when used to further an investigation based on a complaint filed under section 338.055;

(3) The state board of registration for healing arts, when used to further an investigation based on a complaint filed under sections 334.100 or 334.741;

(4) The state board of nursing, when used to further an investigation based on a complaint filed under section 335.066;”; and

Further renumber the remaining subdivisions accordingly.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Onder offered **SA 6**, which was read:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 63 and 111, Page 13, Section 195.453, Line 14, by inserting after all of said line the following:

“8. All communications and data transmitted under sections 195.450 to 195.468 shall be encrypted.”

Senator Onder moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 63 and 111, Page 21, Section 195.468, Line 11, by inserting after all of said line the following:

“Section 1. Notwithstanding the provisions of section 23.253 of the Missouri sunset act to the contrary, the provisions of sections 195.450 to 195.468 shall expire on August 28, 2020.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 63 and 111, Page 15, Section 195.456, Line 2, by inserting after the word “prescribers” the following: **“and dispensers”**.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Sater offered **SA 9**:

SENATE AMENDMENT NO. 9

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 63 and 111, Page 12, Section 195.453, Line 24, by inserting immediately before the word “Each” the following: **“If a dispenser does not otherwise transmit the prescription of a drug to a third party payor, then”**.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Onder offered **SA 10**:

SENATE AMENDMENT NO. 10

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 63 and 111, Page 13, Section 195.453, Line 14, by inserting after all of said line the following:

“8. The provisions of sections 195.450 to 195.468 shall not apply to schedule II, III, or IV controlled substances prescribed or dispensed where the ultimate user is an individual under eighteen years of age.”.

Senator Onder moved that the above amendment be adopted, which motion prevailed.

Senator Emery offered **SA 11**, which was read:

SENATE AMENDMENT NO. 11

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 63 and 111, Page 21, Section 195.468, Line 11, by inserting after all of said line the following:

“Section 1. Nothing in the PDMP database shall be the sole basis for probable cause to obtain an arrest or search warrant as part of a criminal investigation.”; and

Further amend the title and enacting clause accordingly.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Sater moved that **SS for SCS for SBs 63 and 111**, as amended, be adopted.

Senator Dempsey requested a call vote be taken on the adoption of **SS for SCS for SBs 63 and 111**, as amended. He was joined in his request by Senators Nasheed, Keaveny, Kraus and Wallingford.

SS for SCS for SBs 63 and 111, as amended, was adopted by the following vote:

YEAS—Senators

Cunningham	Curls	Dempsey	Dixon	Holsman	Keaveny	Kehoe	LeVota
Libla	Nasheed	Parson	Pearce	Richard	Riddle	Romine	Sater
Schatz	Schupp	Silvey	Wallingford	Walsh	Wasson	Wieland—23	

NAYS—Senators

Brown	Emery	Hegeman	Kraus	Munzlinger	Onder	Schaaf	Schaefer
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Schmitt—9

Absent—Senator Sifton—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

On motion of Senator Sater, **SS** for **SCS** for **SBs 63** and **111**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **SS** for **SCS** for **SB 149**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS** for **SS No. 2** for **SCS** for **SB 149** and **HCS** for **HB 259**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

REFERRALS

President Pro Tem Dempsey referred **HCS** for **HB 42**, with **SCS** and **HB 384**, with **SCA 1** to the Committee on Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS #2** for **SCS** for **SB 24** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 1**.

Concurrent Resolution ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 4**.

Concurrent Resolution ordered enrolled.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS#2** for **SCS** for **SB 24**, as amended. Representatives: Franklin, Allen, Haefner, Carpenter, Kirkton.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SS No. 2** for **SCS** for **SB 24**, as amended: Senators Sater, Romine, Riddle, Nasheed and Schupp.

INTRODUCTIONS OF GUESTS

Senator Hegeman introduced to the Senate, Northwest Missouri Vietnam Veterans; and Samuel Bruce Graves, III, Tarkio.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-THIRD DAY–TUESDAY, MARCH 31, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 468-Berry
HB 118-Burlison
HCS for HB 70
HCS for HB 187
HB 506-Zerr
HCS for HB 709
HB 458-Allen
HB 529-Gosen
HCS for HB 592
HCS for HB 553
HB 514-Leara

HB 878-Rhoads
HCS for HB 613
HCS for HB 119
HB 152-Haahr
HCS for HB 33
HB 276-Cornejo
HCS for HB 95
HB 269-Miller
HB 758-Rowland
HB 403-Phillips
HB 401-Fraker

HB 108-McCaherty	HCS for HB 722
HB 133-Rowland	HCS for HB 132
HB 650-Cornejo	HCS for HB 299
HB 778-Ruth	HB 440-Koenig
HB 861-Fitzwater (49)	HB 556-Wood
HB 531-Solon	HCS for HB 635
HCS for HB 104	HB 502-Kelley
HCS for HB 325	HB 589-Hough
HB 430-Curtman	HCS for HBs 578, 574, & 584
HB 985-Haefner	HCS for HB 766

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce (In Fiscal Oversight)	SS for SB 201-Dixon (In Fiscal Oversight)
SCS for SB 56-Munzlinger (In Fiscal Oversight)	SB 203-Dixon (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 93-Emery, with SCS	16. SB 475-Dempsey
2. SB 300-Silvey, with SCS	17. SB 386-Keaveny
3. SB 146-Pearce, with SCS	18. SB 345-Wasson, with SCS
4. SB 109-Schaefer, with SCS	19. SB 499-Wasson, with SCS
5. SB 322-Dempsey, with SCS	20. SB 524-Cunningham
6. SB 316-Brown	21. SB 80-Dixon, with SCS
7. SB 230-Romine, with SCS	22. SB 199-Dixon, et al, with SCS
8. SB 358-Kehoe	23. SB 20-Kraus
9. SB 302-Riddle, with SCS	24. SB 190-Curls, with SCS
10. SB 278-Schatz, with SCS	25. SB 197-Brown, with SCS
11. SB 473-Schaaf, with SCS	26. SB 445-Romine, with SCS
12. SB 452-Schmitt, et al	27. SB 456-Kehoe, with SCS
13. SB 210-Schaefer, with SCS	28. SB 244-Schmitt
14. SB 167-Schaaf, with SCS	29. SB 389-Silvey and Walsh
15. SB 372-Keaveny, with SCS	30. SB 155-Nasheed

HOUSE BILLS ON THIRD READING

HCS for HB 42, with SCS (Pearce) (In Fiscal Oversight)	HB 384-Flanigan, with SCA 1 (Dixon) (In Fiscal Oversight)
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INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)
SB 59-Dixon
SB 142-Romine, with SCS & SS#2 for SCS
(pending)
SB 159-Parson
SB 227-Emery, with SS (pending)

SB 233-Kehoe, with SCS & SA 2 (pending)
SBs 331 & 21-Libla, with SCS & SS for
SCS (pending)
SB 424-Pearce, with SA 1 (pending)
SJR 7-Richard and Wallingford

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 12-Munzlinger, with
HCS, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 24-Sater, with HCS,
as amended

RESOLUTIONS

Reported from Committee

SCR 13-Curls
SCR 14-Schaefer
SCR 15-Riddle
SCR 17-Hegeman
SCR 22-Schaefer
SCR 25-Munzlinger
SCR 26-Dempsey, with SCS

SCR 29-Onder
SCR 30-Kehoe, with SCS
SCR 31-Cunningham
SCR 32-Hegeman
HCR 15-Roden (Wieland)
HCR 21-Miller (Kehoe)

✓

Journal of the Senate

FIRST REGULAR SESSION

FORTY-THIRD DAY—TUESDAY, MARCH 31, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“For Wisdom is better than jewels; and all that you may desire cannot compare to her.” (Proverbs 8:11)

Creator God, we give thanks for the gift of wisdom You share with us, especially at times when we reflect on our actions and words or that of our colleagues. We pray that You will teach us the best path to take that leads us where You desire for us to end up. We ask that we will always seek Your guidance and wisdom before taking any important actions and understand the true value it brings us and others. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 682, regarding Robert Louis Moller, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 683, regarding Marvin Arthur Hensel, Des Peres, which was adopted.

PRIVILEGED MOTIONS

Senator Munzlinger moved that **SS** for **SCS** for **SB 12**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SCS** for **SB 12**, as amended, was taken up.

Senator Munzlinger moved that **HCS** for **SS** for **SCS** for **SB 12**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Munzlinger, **HCS** for **SS** for **SCS** for **SB 12**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

SENATE BILLS FOR PERFECTION

Senator Emery moved that **SB 93**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 93**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 93

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to free speech at public institutions of higher education.

Was taken up.

Senator Emery moved that **SCS** for **SB 93** be adopted, which motion prevailed.

On motion of Senator Emery, **SCS** for **SB 93** was declared perfected and ordered printed.

Senator Silvey moved that **SB 300**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 300**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 300

An Act to repeal sections 86.1110, 86.1270, 86.1500, and 86.1630, RSMo, and to enact in lieu thereof four new sections relating to retirement benefits for employees of the police department of Kansas City.

Was taken up.

Senator Silvey moved that **SCS** for **SB 300** be adopted, which motion prevailed.

On motion of Senator Silvey, **SCS** for **SB 300** was declared perfected and ordered printed.

Senator Pearce moved that **SB 146**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 146**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 146

An Act to repeal sections 345.015, 345.020, 345.022, 345.025, 345.040, 345.050, 345.051, 345.065, and 345.080, RSMo, and to enact in lieu thereof eight new sections relating to the licensing of speech-language pathologists and audiologists, with existing penalty provisions.

Was taken up.

Senator Pearce moved that **SCS** for **SB 146** be adopted.

Senator Sater offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 146, Page 1, In the Title, Line 4, by striking all of said line and inserting in lieu thereof the following: “relating to professions regulated under the division of professional registration, with”; and

Further amend said bill and page, section A, line 4, by inserting immediately after said line the following:

“324.023. 1. Notwithstanding any law to the contrary, any board or commission established under chapters 330, 331, 332, 334, 335, 336, 337, 338, 340, and 345 may, at its discretion, issue oral or written opinions addressing topics relating to the qualifications, functions, or duties of any profession licensed by the specific board or commission issuing such guidance. Any such opinion is for educational purposes only, is in no way binding on the licensees of the respective board or commission, and cannot be used as the basis for any discipline against any licensee under chapters 330, 331, 332, 334, 335, 336, 337, 338, 340, and 345. No board or commission may address topics relating to the qualifications, functions, or duties of any profession licensed by a different board or commission.

2. The recipient of an opinion given under this section shall be informed that the opinion is for educational purposes only, is in no way binding on the licensees of the board, and cannot be used as the basis for any discipline against any licensee under chapters 330, 331, 332, 334, 335, 336, 337, 338, 340, and 345.”; and

Further amend the title and enacting clause accordingly.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Sater moved that **SCS for SB 146**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS for SB 146**, as amended, was declared perfected and ordered printed.

Senator Schaefer moved that **SB 109**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for SB 109, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 109

An Act to repeal section 105.716, RSMo, and to enact in lieu thereof one new section relating to the state legal expense fund.

Was taken up.

Senator Schaefer moved that **SCS for SB 109** be adopted.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 109, Page 1, Section 105.716, Line 18, by striking all of said line and inserting in lieu thereof the following: **“settlement offer recommended for acceptance by a public institution which awards baccalaureate degrees, then the attorney general may, at the request of the public institution which awards baccalaureate degrees, assume all”**.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SCS** for **SB 109**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **SB 109**, as amended, was declared perfected and ordered printed.

Senator Pearce assumed the Chair.

Senator Dempsey moved that **SB 322**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 322**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 322

An Act to repeal section 208.010, RSMo, and to enact in lieu thereof one new section relating to public assistance.

Was taken up.

Senator Dempsey moved that **SCS** for **SB 322** be adopted.

Senator Dempsey offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 322, Page 4, Section 208.010, Line 109, by striking the following: “On September 30, 2020, and on each September 30 of each successive year” and inserting in lieu thereof the following: “**Beginning in fiscal year 2020 and each successive fiscal year thereafter**”.

Senator Schmitt assumed the Chair.

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Dempsey moved that **SCS** for **SB 322**, as amended, be adopted, which motion prevailed.

On motion of Senator Dempsey, **SCS** for **SB 322**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 316** be taken up for perfection, which motion prevailed.

Senator Kehoe assumed the Chair.

On motion of Senator Brown, **SB 316** was declared perfected and ordered printed.

Senator Romine moved that **SB 230**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 230**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 230

An Act to amend chapter 208, RSMo, by adding thereto two new sections relating to telehealth services.

Was taken up.

Senator Romine moved that **SCS** for **SB 230** be adopted, which motion prevailed.

At the request of Senator Romine, **SCS** for **SB 230** was placed on the Informal Calendar.

SB 358 was placed on the Informal Calendar.

Senator Riddle moved that **SB 302**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 302**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 302**

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to out of state abortion referrals.

Was taken up.

Senator Riddle moved that **SCS** for **SB 302** be adopted.

At the request of Senator Riddle, **SB 302**, with **SCS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCR 4** and **SCR 1**, begs leave to report that it has examined the same and finds that the concurrent resolutions have been duly enrolled and that the printed copies furnished the Senators are correct.

BILLS DELIVERED TO THE GOVERNOR

HCS for **SS** for **SCS** for **SB 149**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

On motion of Senator Richard, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 16**.

HOUSE CONCURRENT RESOLUTION NO. 16

WHEREAS, the children of Missouri are our future and will provide the leadership, creativity, and productivity to strengthen and sustain the quality of life in our state; and

WHEREAS, the state of Missouri has the responsibility for ensuring that our children have every possible opportunity for school and future success; and

WHEREAS, each student in Missouri deserves to be challenged academically and prepared for college, meaningful employment in our global economy, and lifelong success; and

WHEREAS, each student in Missouri deserves to be actively engaged in learning and connected to the school and broader community; and

WHEREAS, each student in Missouri deserves to be supported by qualified, caring adults and receive access to personalized learning; and

WHEREAS, each student in Missouri deserves to learn about and practice a healthy lifestyle; and

WHEREAS, each student in Missouri deserves to learn in an environment that is physically and emotionally safe; and

WHEREAS, the consequences of not ensuring our young people are challenged, engaged, supported, healthy and safe are clear; and

WHEREAS, with approximately 2400 schools enrolling over 915,000 students, Missouri ranks in the top ten in the nation for high school graduation rates, according to a 2014 national report published by Education Week, with a graduation rate of 83.7 percent; and

WHEREAS, despite these gains, far too many young people are still failing to complete a meaningful high school education, with most of the nongraduates coming from educationally and socioeconomically disadvantaged groups and communities; and

WHEREAS, 66% of Hispanic students and 68% of African-American students graduate from high school, with those rates 10-15% below the graduation rates of white students; and

WHEREAS, graduation rates in large metropolitan areas with high concentrations of low-income students are far lower than the national average as well, with graduation rates in the 60-70% range; and

WHEREAS, the lost lifetime earnings for those Missouri students who fail to graduate from high school is estimated to exceed \$6 billion; and

WHEREAS, Missouri spends over \$50 million each year to provide remediation education for recent high school graduates who did not acquire basic skills necessary to succeed in college or at work; and

WHEREAS, the rate of poverty in Missouri has risen steadily over the past few years, up from 13.4% in 2008 to 16.2% today. That nearly 3% increase means approximately 179,000 more Missourians live in poverty today, which is more than the populations of Jefferson City and Columbia combined; and

WHEREAS, out of the more than 6 million people living in Missouri, 947,792 live at or below the federal poverty level, with more than 400,000 of those people living in extreme poverty; and

WHEREAS, in 2012, 310,000 of Missouri's children lived in poverty, which was an increase of 4,000 children since 2011. At 23% of children living at or below the federal poverty level, nearly one in every four children lives in poverty in the Show-Me State; and

WHEREAS, in 2011, 62% of Hispanic children, 68% of African-American children, and 38% of Caucasian children lived in low-income families; and

WHEREAS, in 2014, Missouri is now the 16th most obese state in the United States for adults at 30.4% and the 35th most obese state in the United States for children at 28.4%, with almost one in three Missouri students ages 10-17 now considered to be overweight or obese; and

WHEREAS, in 2014, the United States Department of Health and Human Services reports that one in three students say they have been bullied at school; and

WHEREAS, research indicates that more than 20% of students report there is no adult at their school who cares about them or knows them well:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby recognizes September 2015 as Missouri Whole Child Month; and

BE IT FURTHER RESOLVED that the General Assembly recognizes the value of assuring that each student is challenged, engaged, supported, healthy, and safe; encourages parents, educators, and community members to support a whole child approach to education for each student; and

BE IT FURTHER RESOLVED that the General Assembly encourages every Missouri school to celebrate Whole Child Month by identifying at least one of the whole child tenets to promote and encourage throughout the month.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 29**.

HOUSE CONCURRENT RESOLUTION NO. 29

WHEREAS, the rapid expansion of the western United States in the 1840s led to a demand for long-distance overland mail service; and

WHEREAS, John W. Butterfield answered the call of the United States government to develop and operate an overland stage route from Missouri to California; and

WHEREAS, the first Butterfield Overland Mail Company stagecoach left Tipton, Missouri, on September 16, 1858, traveling through Moniteau, Morgan, Pettis, Benton, Hickory, Polk, Greene, Christian, Stone, Lawrence, and Barry counties on a history journey across the United States; and

WHEREAS, the Butterfield Overland Mail Company's first east to west stagecoach completed its transcontinental mail run in twenty-three days, arriving in San Francisco, California on October 9, 1858; and

WHEREAS, the Company's successful completion of the 2,812 mile trip helped unite the country and facilitate the development and expansion of the United States; and

WHEREAS, due to the Civil War, the Butterfield Overland Mail Company ceased operations in 1861; and

WHEREAS, the former Butterfield Overland Trail became an important conduit for Union and Confederate troops during the Civil War; and

WHEREAS, during its brief existence, the Butterfield Overland Trail played a pivotal role in the history of the State of Missouri and in fulfilling the aspirations of the United States; and

WHEREAS, in recognition of the perceived national importance of these routes, and in response to public advocacy for the inclusion of these routes in the National Trails System, Congress passed legislation that was signed by President Obama on March 30, 2009, (Section 7209 of Public Law 111-11):

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the United States Congress to develop plans, ideas, and proposals to commemorate and celebrate the historic Butterfield Overland Trail by making it part of the National Historic Trails System; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of Missouri's Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 28**.

HOUSE CONCURRENT RESOLUTION NO. 28

WHEREAS, Congress enacted, and the President signed into law, the Healthy, Hunger-Free Kids Act of 2010; and

WHEREAS, under the new nutrition standards implemented in 2012, school meal programs have experienced increased costs and administrative burdens while struggling with student acceptance of new menu items and increased plate waste; and

WHEREAS, as a result of the new nutrition standards, one million fewer students are choosing school meals each day; and

WHEREAS, approximately forty-seven percent of school meal programs report that overall revenue declined in the 2012-2013 school year; and

WHEREAS, school districts need relief from increasing operational costs associated with the federal mandates; and

WHEREAS, Missourians would benefit from a more common sense approach to school nutrition:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First

Regular Session, the Senate concurring therein, hereby urge the Missouri congressional delegation to make changes in the Child Nutrition Act Reauthorization in 2015 to promote a healthy school environment for children, provide reasonable flexibility in the operation of school meal programs, maximize program efficiency, ensure overall sustainability of child nutrition programs, and encourage local school districts and school nutrition programs to work with local farm-to-table organizations where appropriate; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for each member of the Missouri congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 27**.

HOUSE CONCURRENT RESOLUTION NO. 27

WHEREAS, the fraternity of Alpha Gamma Rho attributes much of its founding to the Morrill Act, signed by President Abraham Lincoln in 1862, which granted land and other financial supports to establish one institution of higher learning in the agricultural and mechanical sciences within each state of the Union; and

WHEREAS, Alpha Gamma Rho was founded when two local fraternities from Ohio State and the University of Illinois met at an international livestock competition in Chicago, Illinois. Sixteen men originally signed the fraternity's charter on April 4, 1908. The expansion of Alpha Gamma Rho increased dramatically over the next three decades to almost every land-grant university in the country; and

WHEREAS, in 1914, W.C. Hackleman came to the University of Missouri-Columbia's campus with the idea of initiating a new chapter of Alpha Gamma Rho. Under his direction a group of undergraduates formed the Coleman Club, which was named for the first USDA Secretary of Agriculture, Norman J. Coleman, a Missourian; and

WHEREAS, the Coleman Club presented a petition to become a chapter to the national convention of Alpha Gamma Rho in February, 1916, which was granted; and

WHEREAS, on April 24, 1916, the Theta Chapter of Alpha Gamma Rho was officially installed at the University of Missouri-Columbia; and

WHEREAS, the Theta Chapter was the third chapter of Alpha Gamma Rho to be established west of the Mississippi River and the eighth chapter of the national fraternity; and

WHEREAS, many Theta Chapter alumni have gone on to lead distinguished careers including United States Secretary of Agriculture, member of the United States House of Representatives, director of the Missouri Department of Agriculture, and Dean of the College of Agriculture, Food, and Natural Resources at the University of Missouri-Columbia; and

WHEREAS, several Theta alumni have served as Grand President of the national fraternity, and many have been inducted into the national Alpha Gamma Rho Hall of Fame; and

WHEREAS, the Theta Chapter has twice received the national Maynard Coe Chapter Efficiency Award, which is the highest award an Alpha Gamma Rho chapter can receive; and

WHEREAS, in 2003, 2004, 2006, and 2012, the Theta Chapter was honored by the University of Missouri Greek Life Department with the Excellence Cup, the University's most prestigious fraternal award, for excelling in scholarship, leadership, campus involvement, brotherhood, service, and chapter management within the Greek community; and

WHEREAS, on April 24, 2016, the Theta Chapter of Alpha Gamma Rho will celebrate the 100th anniversary of the chapter's founding at the University of Missouri-Columbia:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby designate April 24, 2016, as "Alpha Gamma Rho Day" in Missouri.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 873**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 34**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 326**, entitled:

An Act to repeal section 105.666, RSMo, and to enact in lieu thereof one new section relating to defined benefit pension plans.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 515**, entitled:

An Act to repeal sections 86.200, 86.213, 86.237, 86.250, 86.251, 86.257, 86.263, 86.270, and 86.320, RSMo, and to enact in lieu thereof nine new sections relating to police retirement systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 629**, entitled:

An Act to repeal sections 86.1270 and 86.1630, RSMo, and to enact in lieu thereof two new sections relating to retirement benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 522**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 686**, entitled:

An Act to repeal sections 301.010 and 301.227, RSMo, and to enact in lieu thereof two new sections relating to junking certificates on motor vehicles.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 775**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 859**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of Jackie Robinson day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 874**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of public holidays.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 322; SB 316; SCS for SB 300; SCS for SB 146; SCS for SB 109; SCS for SB 93; and SS for SCS for SBs 63 and 111**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 20**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCR 21, SCR 19 and SCR 23**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 433**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 328**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

REFERRALS

President Pro Tem Dempsey referred **SS for SCS for SBs 63 and 111 and SCS for SB 322** to the Committee on Governmental Accountability and Fiscal Oversight.

SIGNING OF CONCURRENT RESOLUTIONS

The President Pro Tem announced that all other business would be suspended and **SCR 4**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, be signed to the end that it shall have the full force and effect of law. No objections being made, the concurrent resolution was read by the Secretary and signed by the President Pro Tem.

SENATE BILLS FOR PERFECTION

Senator Romine moved that **SCS for SB 230** be called up from the Informal Calendar and again taken up for perfection, which motion prevailed.

Having voted on the prevailing side, Senator Romine moved that the vote by which **SCS for SB 230** was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senator LeVota—1

Absent—Senators

Chappelle-Nadal Keaveny Parson—3

Absent with leave—Senators—None

Vacancies—None

SCS for SB 230 was again taken up.

Senator Schaaf offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 230, Section 208.675, Page 1, Line 16, by inserting after the word “center” the following “or community mental health center”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Sater offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 230, Page 2, Section 208.677, Line 7, by inserting immediately after the word “**assistance.**” the following:

“No originating site for services or activities provided under section 208.686 shall be required to maintain immediate availability of on-site clinical staff during the telemonitoring services or activities.”; and further amend line 32, by inserting after all of said line the following:

“208.686. 1. Subject to appropriations, the department shall establish a statewide program that permits reimbursement under the MO HealthNet program for home telemonitoring services. For the purposes of this section, “home telemonitoring service” shall mean a health care service that requires scheduled remote monitoring of data related to a patient’s health and transmission of the data to a Utilization Review Accreditation Commission (URAC) accredited health call center.

2. The program shall:

(1) Provide that home telemonitoring services are available only to persons who:

(a) Are diagnosed with one or more of the following conditions:

a. Pregnancy;

b. Diabetes;

c. Heart disease;

- d. Cancer;**
- e. Chronic obstructive pulmonary disease;**
- f. Hypertension;**
- g. Congestive heart failure;**
- h. Mental illness or serious emotional disturbance;**
- i. Asthma;**
- j. Myocardial infarction; or**
- k. Stroke; and**

(b) Exhibit two or more of the following risk factors:

- a. Two or more hospitalizations in the prior twelve-month period;**
- b. Frequent or recurrent emergency department admissions;**
- c. A documented history of poor adherence to ordered medication regimens;**
- d. A documented history of falls in the prior six-month period;**
- e. Limited or absent informal support systems;**
- f. Living alone or being home alone for extended periods of time; or**
- g. A documented history of care access challenges;**

(2) Ensure that clinical information gathered by a home health agency or hospital while providing home telemonitoring services is shared with the patient's physician; and

(3) Ensure that the program does not duplicate any disease management program services provided by MO HealthNet.

3. If, after implementation, the department determines that the program established under this section is not cost effective, the department may discontinue the program and stop providing reimbursement under the MO HealthNet program for home telemonitoring services.

4. The department shall determine whether the provision of home telemonitoring services to persons who are eligible to receive benefits under both the MO HealthNet and Medicare programs achieves cost savings for the Medicare program.

5. If, before implementing any provision of this section, the department determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the department shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

6. The department shall promulgate rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536

are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Onder offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 230, Page 1, Section A, Line 2, by inserting after all of said line the following:

“208.670. 1. As used in this section, these terms shall have the following meaning:

(1) “Provider”, any provider of medical services and mental health services, including all other medical disciplines;

(2) “Telehealth”, the use of medical information exchanged from one site to another via electronic communications to improve the health status of a patient.

2. The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the practice of telehealth in the MO HealthNet program. Such rules shall address, but not be limited to, appropriate standards for the use of telehealth, certification of agencies offering telehealth, and payment for services by providers. Telehealth providers shall be required to obtain patient consent before telehealth services are initiated and to ensure confidentiality of medical information.

3. Telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. Reimbursement for such services shall be made in the same way as reimbursement for in-person contacts.

4. The provisions of section 208.671 shall apply to the use of asynchronous store-and-forward technology in the practice of telehealth.

208.671. 1. As used in this section and section 208.673, the following terms shall mean:

(1) “Asynchronous store-and-forward”, the transfer of a patient's clinically important digital samples, such as still images, videos, audio, and text files, and relevant data from an originating site through the use of a camera or similar recording device that stores digital samples that are forwarded via telecommunication to a distant site for consultation by a consulting provider without requiring the simultaneous presence of the patient and the patient's treating provider;

(2) “Asynchronous store-and-forward technology”, cameras or other recording devices that store images which may be forwarded via telecommunication devices at a later time;

(3) “Consultation”, a type of evaluation and management service as defined by the most recent edition of the Current Procedural Terminology published annually by the American Medical Association;

(4) “Consulting provider”, a provider who, upon referral by the treating provider, evaluates a patient and appropriate medical data or images delivered through asynchronous store-and-forward technology. If a consulting provider is unable to render an opinion due to insufficient information, the consulting provider may request additional information to facilitate the rendering of an opinion or decline to render an opinion;

(5) “Distant site”, a site where the consulting provider is located at the time the consultation service is provided;

(6) “Originating site”, the site where a MO HealthNet participant receiving services and such participant's treating provider are both physically located;

(7) “Provider”, any provider of medical services or mental health services, including all other medical disciplines, licensed in this state who has the authority to refer patients for medical services or mental health services within the scope of practice and licensure of the provider;

(8) “Telehealth”, the same meaning as such term is defined in section 208.670. Telehealth shall include the use of asynchronous store-and-forward technology for orthopedics, dermatology, ophthalmology in cases of diabetic retinopathy, burn and wound care, and maternal-fetal medicine ultrasounds;

(9) “Treating provider”, a provider who:

(a) Evaluates a patient;

(b) Determines the need for a consultation;

(c) Arranges the services of a consulting provider for the purpose of diagnosis and treatment;

(d) Provides or supplements the patient's history and provides pertinent physical examination findings and medical information to the consulting provider; and

(e) Is physically present in the same location as the patient during the time of the asynchronous store-and-forward services.

2. The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the use of asynchronous store-and-forward technology in the practice of telehealth in the MO HealthNet program. Such rules shall address, but not be limited to:

(1) Appropriate standards for the use of asynchronous store-and-forward technology in the practice of telehealth;

(2) Certification of agencies offering asynchronous store-and-forward technology in the practice of telehealth;

(3) Time lines for completion and communication of a consulting provider's consultation or opinion, or if the consulting provider is unable to render an opinion, time lines for communicating a request for additional information or that the consulting provider declines to render an opinion;

(4) Length of time digital files of such asynchronous store-and-forward services are to be maintained;

(5) Security and privacy of such digital files;

(6) Patient consent for asynchronous store-and-forward services; and

(7) Payment for services by providers; except that, consulting providers who decline to render an opinion shall not receive payment under this section unless and until an opinion is rendered.

Telehealth providers using asynchronous store-and-forward technology shall be required to obtain patient consent before asynchronous store-and-forward services are initiated and to ensure confidentiality of medical information.

3. Asynchronous store-and-forward technology in the practice of telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. Reimbursement for such asynchronous store-and-forward services shall be made so that the total payment for the consultation shall be divided between the treating provider and the consulting provider. The total payment for both the treating provider and the consulting provider shall not exceed the payment for a face-to-face consultation of the same level.

4. The standard of care for the use of asynchronous store-and-forward technology in the practice of telehealth shall be the same as the standard of care for face-to-face care.

208.673. 1. There is hereby established the “Telehealth Services Advisory Committee” to advise the department of social services and propose rules regarding the coverage of telehealth services utilizing asynchronous store-and-forward technology.

2. The committee shall be comprised of the following members:

(1) The director of the MO HealthNet division, or the director's designee;

(2) The medical director of the MO HealthNet division;

(3) A representative from a Missouri institution of higher education with expertise in telemedicine;

(4) A representative from the Missouri office of primary care and rural health;

(5) Two board-certified specialists licensed to practice in this state;

(6) A representative from a hospital located in this state that utilizes telehealth medicine;

(7) A primary care provider from a federally qualified health center (FQHC) or rural health clinic; and

(8) A primary care provider from a rural setting other than from an FQHC or rural health clinic.

3. Members of the committee listed in subdivisions (3) to (8) of subsection 2 of this section shall be appointed by the governor, with the advice and consent of the senate. The first appointments to the committee shall consist of three members to serve three-year terms, two members to serve two-year terms, and two members to serve one-year terms as designated by the governor. Each member of the committee shall serve for a term of three years thereafter.

4. Members of the committee shall not receive any compensation for their services but shall be reimbursed for any actual and necessary expenses incurred in the performance of their duties.

5. Any member appointed by the governor may be removed from office by the governor without cause. If there is a vacancy for any cause, the governor shall make an appointment to become effective immediately for the unexpired term.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Onder moved that the above amendment be adopted.

Senator Onder offered **SA 1 to SA 3:**

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Committee Substitute for Senate Bill No. 230, Page 3, Section 208.671, Line 8, by inserting after the second use of the word “services” the following: “**or dental health services**”.

Senator Onder moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 2 to SA 3:**

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Committee Substitute for Senate Bill No. 230, Page 5, Section 208.673, Line 22, by inserting after the word “practice” the following: “**medicine**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Onder moved that **SA 3**, as amended, be adopted, which motion prevailed.

Senator Romine moved that **SCS for SB 230**, as amended, be adopted, which motion prevailed.

On motion of Senator Romine, **SCS for SB 230**, as amended, was declared perfected and ordered printed.

Senator Schatz moved that **SB 278**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for SB 278, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 278

An Act to repeal sections 301.010, 301.067, and 301.227, RSMo, and to enact in lieu thereof four new sections relating to the registration of motor vehicles.

Was taken up.

Senator Schatz moved that **SCS for SB 278** be adopted.

Senator Schatz offered **SS** for **SCS** for **SB 278**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 278

An Act to repeal sections 301.010, 301.067, 301.196, and 301.227, RSMo, and to enact in lieu thereof five new sections relating to the registration of motor vehicles.

Senator Schatz moved that **SS** for **SCS** for **SB 278** be adopted.

Senator Kehoe offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 278, Page 1, In the Title, Line 4, by striking the following: “the registration of ”; and

Further amend said bill, page 16, section 301.067, line 28 of said page, by inserting immediately after said line the following:

“301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days, **or no more than ninety days if the dealer is selling the motor vehicle under the provisions of section 301.213.** As used in this subsection, the term “trade-in motor vehicle or trailer” shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When

the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days, **or no more than ninety days if issued by a dealer selling the motor vehicle under the provisions of section 301.213**, from the date of purchase. The temporary permit authorized under this section may be purchased by the purchaser of a motor vehicle or trailer from the central office of the department of revenue or from an authorized agent of the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates. The director of the department of revenue or a producer authorized by the director of the department of revenue may make temporary permits available to registered dealers in this state, authorized agents of the department of revenue or the department of revenue. The price paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director of the department of revenue shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Amounts received by the director of the department of revenue for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director of the department of revenue shall not constitute state revenue and any amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from a producer other than the director of the department of revenue shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director of the department of revenue under section 301.190. No motor vehicle dealer, authorized agent or the department of revenue shall charge more than five dollars for each permit issued. The permit shall be valid for a period of thirty days, **or no more than ninety days if issued by a dealer selling the motor vehicle under the provisions of section 301.213**, from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a motor vehicle dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility. Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.

5. The permit shall be issued on a form prescribed by the director of the department of revenue and issued only for the applicant's temporary operation of the motor vehicle or trailer purchased to enable the applicant to temporarily operate the motor vehicle while proper title and registration plates are being obtained, or while awaiting receipt of registration plates, and shall be displayed on no other motor vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director of the department of revenue shall determine the size, material, design, numbering configuration, construction,

and color of the permit. The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.

6. Every motor vehicle dealer that issues temporary permits shall keep, for inspection by proper officers, an accurate record of each permit issued by recording the permit number, the motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make, and manufacturer's vehicle identification number, and the permit's date of issuance and expiration date. Upon the issuance of a temporary permit by either the central office of the department of revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director of the department of revenue shall make the information associated with the issued temporary permit immediately available to the law enforcement community of the state of Missouri.

7. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of motor vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost-effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 4 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 4 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. Notwithstanding the provisions of section 301.127, the director may issue a temporary permit to an individual who possesses a salvage motor vehicle which requires an inspection under subsection 9 of section 301.190. The operation of a salvage motor vehicle for which the permit has been issued shall be limited to the most direct route from the residence, maintenance, or storage facility of the individual in possession of such motor vehicle to the nearest authorized inspection facility and return to the originating location. Notwithstanding any other requirements for the issuance of a temporary permit under this section, an individual obtaining a temporary permit for the purpose of operating a motor vehicle to and from an examination facility as prescribed in this subsection shall also purchase the required motor vehicle examination form which is required to be completed for an examination under subsection 9 of section 301.190 and provide satisfactory evidence that such vehicle has passed a motor vehicle safety inspection for such vehicle as required in section 307.350.

11. The director of the department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

12. The repeal and reenactment of this section shall become effective on the date the department of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits described in subsection 4 of such section, or on July 1, 2013, whichever occurs first. If the director of revenue or a producer authorized by the director of the department of revenue begins producing temporary permits prior to July 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact.

301.190. 1. No certificate of registration of any motor vehicle or trailer, or number plate therefor, shall be issued by the director of revenue unless the applicant therefor shall make application for and be granted a certificate of ownership of such motor vehicle or trailer, or shall present satisfactory evidence that such certificate has been previously issued to the applicant for such motor vehicle or trailer. Application shall be made within thirty days after the applicant acquires the motor vehicle or trailer, **unless the motor vehicle was acquired under section 301.213 in which case the applicant shall make application within thirty days after receiving title from the dealer**, upon a blank form furnished by the director of revenue and shall contain the applicant's identification number, a full description of the motor vehicle or trailer, the vehicle identification number, and the mileage registered on the odometer at the time of transfer of ownership, as required by section 407.536, together with a statement of the applicant's source of title and of any liens or encumbrances on the motor vehicle or trailer, provided that for good cause shown the director of revenue may extend the period of time for making such application. When an owner wants to add or delete a name or names on an application for certificate of ownership of a motor vehicle or trailer that would cause it to be inconsistent with the name or names listed on the notice of lien, the owner shall provide the director with documentation evidencing the lienholder's authorization to add or delete a name or names on an application for certificate of ownership.

2. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true and shall, to the extent possible without substantially delaying processing of the application, review any odometer information pertaining to such motor vehicle that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the director shall thereupon issue an appropriate certificate over his signature and sealed with the seal of his office, procured and used for such purpose. The certificate shall contain on its face a complete description, vehicle identification number, and other evidence of identification of the motor vehicle or trailer, as the director of revenue may deem necessary, together with the odometer information required to be put on the face of the certificate pursuant to section 407.536, a statement of any liens or encumbrances which the application may show to be thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing the transferor's title and whether the transferor's odometer mileage statement executed pursuant to section 407.536 indicated that the true mileage is materially different from the number of miles shown on the odometer, or is unknown.

3. The director of revenue shall appropriately designate on the current and all subsequent issues of the certificate the words “Reconstructed Motor Vehicle”, “Motor Change Vehicle”, “Specially Constructed Motor Vehicle”, or “Non-USA-Std Motor Vehicle”, as defined in section 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for motor vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print on the face thereof the following designation: “Annual odometer updates may be available from the department of revenue.”. On any duplicate certificate, the director of revenue shall reprint on the face thereof the most recent of either:

(1) The mileage information included on the face of the immediately prior certificate and the date of purchase or issuance of the immediately prior certificate; or

(2) Any other mileage information provided to the director of revenue, and the date the director obtained or recorded that information.

4. The certificate of ownership issued by the director of revenue shall be manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit, duplicate, or forge such certificate without ready detection. In order to carry out the requirements of this subsection, the director of revenue may contract with a nonprofit scientific or educational institution specializing in the analysis of secure documents to determine the most effective methods of rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in addition to the fee for registration of such motor vehicle or trailer. If application for the certificate is not made within thirty days after the vehicle is acquired by the applicant, **or where the motor vehicle was acquired under section 301.213 and the applicant fails to make application within thirty days after receiving title from the dealer**, a delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of two hundred dollars, but such penalty may be waived by the director for a good cause shown. If the director of revenue learns that any person has failed to obtain a certificate within thirty days after acquiring a motor vehicle or trailer, **or where the motor vehicle was acquired under section 301.213 and the applicant fails to make application within thirty days after receiving title from the dealer**, or has sold a vehicle without obtaining a certificate, he shall cancel the registration of all vehicles registered in the name of the person, either as sole owner or as a co-owner, and shall notify the person that the cancellation will remain in force until the person pays the delinquency penalty fee provided in this section, together with all fees, charges and payments which the person should have paid in connection with the certificate of ownership and registration of the vehicle. The certificate shall be good for the life of the motor vehicle or trailer so long as the same is owned or held by the original holder of the certificate and shall not have to be renewed annually.

6. Any applicant for a certificate of ownership requesting the department of revenue to process an application for a certificate of ownership in an expeditious manner requiring special handling shall pay a fee of five dollars in addition to the regular certificate of ownership fee.

7. It is unlawful for any person to operate in this state a motor vehicle or trailer required to be registered under the provisions of the law unless a certificate of ownership has been applied for as provided in this section.

8. Before an original Missouri certificate of ownership is issued, an inspection of the vehicle and a verification of vehicle identification numbers shall be made by the Missouri state highway patrol on vehicles for which there is a current title issued by another state if a Missouri salvage certificate of title has been

issued for the same vehicle but no prior inspection and verification has been made in this state, except that if such vehicle has been inspected in another state by a law enforcement officer in a manner comparable to the inspection process in this state and the vehicle identification numbers have been so verified, the applicant shall not be liable for the twenty-five dollar inspection fee if such applicant submits proof of inspection and vehicle identification number verification to the director of revenue at the time of the application. The applicant, who has such a title for a vehicle on which no prior inspection and verification have been made, shall pay a fee of twenty-five dollars for such verification and inspection, payable to the director of revenue at the time of the request for the application, which shall be deposited in the state treasury to the credit of the state highways and transportation department fund.

9. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director of revenue shall be accompanied by a vehicle examination certificate issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The vehicle examination shall include a verification of vehicle identification numbers and a determination of the classification of the vehicle. The owner of a vehicle which requires a vehicle examination certificate shall present the vehicle for examination and obtain a completed vehicle examination certificate prior to submitting an application for a certificate of ownership to the director of revenue. Notwithstanding any provision of the law to the contrary, an owner presenting a motor vehicle which has been issued a salvage title and which is ten years of age or older to a vehicle examination described in this subsection in order to obtain a certificate of ownership with the designation prior salvage motor vehicle shall not be required to repair or restore the vehicle to its original appearance in order to pass or complete the vehicle examination. The fee for the vehicle examination application shall be twenty-five dollars and shall be collected by the director of revenue at the time of the request for the application and shall be deposited in the state treasury to the credit of the state highways and transportation department fund. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307 and the emissions inspection required under chapter 643 shall be completed and the fees required by section 307.365 and section 643.315 shall be charged to the owner.

10. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri or as required by section 301.020, it shall be accompanied by a current inspection form certified by a duly authorized official inspection station as described in chapter 307. The completed form shall certify that the manufacturer's identification number for the vehicle has been inspected, that it is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the time of inspection. The inspection station shall collect the same fee as authorized in section 307.365 for making the inspection, and the fee shall be deposited in the same manner as provided in section 307.365. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307 and the emissions inspection required under chapter 643 shall be completed and only the fees required by section 307.365 and section 643.315 shall be charged to the owner. This section shall not apply to vehicles being transferred on a manufacturer's statement of origin.

11. Motor vehicles brought into this state in a wrecked or damaged condition or after being towed as an abandoned vehicle pursuant to another state's abandoned motor vehicle procedures shall, in lieu of the inspection required by subsection 10 of this section, be inspected by the Missouri state highway patrol in accordance with subsection 9 of this section. If the inspection reveals the vehicle to be in a salvage or junk condition, the director shall so indicate on any Missouri certificate of ownership issued for such vehicle.

Any salvage designation shall be carried forward on all subsequently issued certificates of title for the motor vehicle.

12. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, or prior salvage vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the name of the issuing state and such prior designation. The absence of any prior designation shall not relieve a transferor of the duty to exercise due diligence with regard to such certificate of ownership prior to the transfer of a certificate. If a transferor exercises any due diligence with regard to a certificate of ownership, the legal transfer of a certificate of ownership without any designation that is subsequently discovered to have or should have had a designation shall be a transfer free and clear of any liabilities of the transferor associated with the missing designation.

13. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as non-USA-std motor vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the words “Non-USA-Std Motor Vehicle”.

14. The director of revenue and the superintendent of the Missouri state highway patrol shall make and enforce rules for the administration of the inspections required by this section.

15. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, manufactured forty or more years prior to the current model year, and which has a value of three thousand dollars or less shall be accompanied by:

(1) A proper affidavit submitted by the owner explaining how the motor vehicle or trailer was acquired and, if applicable, the reasons a valid certificate of ownership cannot be furnished;

(2) Photocopies of receipts, bills of sale establishing ownership, or titles, and the source of all major component parts used to rebuild the vehicle;

(3) A fee of one hundred fifty dollars in addition to the fees described in subsection 5 of this section. Such fee shall be deposited in the state treasury to the credit of the state highways and transportation department fund; and

(4) An inspection certificate, other than a motor vehicle examination certificate required under subsection 9 of this section, completed and issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The inspection performed by the highway patrol or other authorized local law enforcement agency shall include a check for stolen vehicles. The department of revenue shall issue the owner a certificate of ownership designated with the words “Reconstructed Motor Vehicle” and deliver such certificate of ownership in accordance with the provisions of this chapter. Notwithstanding subsection 9 of this section, no owner of a reconstructed motor vehicle described in this subsection shall be required to obtain a vehicle examination certificate issued by the Missouri state highway patrol.”; and

Further amend said bill, page 18, section 301.196, line 26 of said page, by inserting immediately after said line the following:

“301.213. 1. Notwithstanding the provisions of sections 301.200 and 301.210, any person licensed as a motor vehicle dealer under sections 301.550 to 301.573 that has provided to the director of revenue a surety bond or irrevocable letter of credit in an amount not less than one hundred thousand dollars in a form which complies with the requirements of section 301.560 and in lieu of the twenty-five thousand dollar bond otherwise required for licensure as a motor vehicle dealer, shall be authorized to purchase or accept in trade any motor vehicle for which there has been issued a certificate of ownership, and to receive such vehicle subject to any existing liens thereon created and perfected under sections 301.600 to 301.660 provided the licensed dealer receives the following:

(1) A signed written contract between the licensed dealer and the owner of the vehicle; and

(2) Physical delivery of the vehicle to the licensed dealer; and

(3) A power of attorney from the owner to the licensed dealer, in accordance with subsection 4 of section 301.300, authorizing the licensed dealer to obtain a duplicate or replacement title in the owner’s name and sign any title assignments on the owner’s behalf.

2. If the dealer complies with the requirements of subsection 1 of this section, the sale or trade of the vehicle to the dealer shall be considered final, subject to any existing liens created and perfected under sections 301.600 to 301.660. Once the prior owner of the motor vehicle has physically delivered the motor vehicle to the licensed dealer, the prior owners’ insurable interest in such vehicle shall cease to exist.

3. If a licensed dealer complies with the requirements of subsection 1 of this section, and such dealer has provided to the director of revenue a surety bond or irrevocable letter of credit in amount not less than one hundred thousand dollars in a form which complies with the requirements of section 301.560 and in lieu of the twenty-five thousand dollar bond otherwise required for licensure as a motor vehicle dealer, such dealer may sell such vehicle prior to receiving and assigning to the purchaser the certificate of ownership, provided such dealer complies with the following:

(1) All outstanding liens created on the vehicle pursuant to sections 301.600 to 301.660 have been paid in full, and the dealer provides a copy of proof or other evidence to the purchaser; and

(2) The dealer has obtained proof or other evidence from the department of revenue confirming that no outstanding child support liens exist upon the vehicle at the time of sale and provides a copy of said proof or other evidence to the purchaser; and

(3) The dealer has obtained proof or other evidence from the department of revenue confirming that all applicable state sales tax has been satisfied on the sale of the vehicle to the previous owner and provides a copy of said proof or other evidence to the purchaser; and

(4) The dealer has signed an application for duplicate or replacement title for the vehicle under subsection 4 of section 301.300 and provides a copy of the application to the purchaser, along with a copy of the power of attorney required by subsection 1 of this section, and the dealer has prepared and delivered to the purchaser an application for title for the vehicle in the purchaser’s name; and

(5) The dealer and the purchaser have entered into a written agreement for the subsequent assignment and delivery of such certificate of ownership, on a form prescribed by the director of revenue, to take place at a time, not to exceed sixty calendar days, after the time of delivery of the motor vehicle to the purchaser. Such agreement shall require the purchaser to provide to the dealer

proof of financial responsibility in accordance with chapter 303 and proof of comprehensive and collision coverage on the motor vehicle. Such dealer shall maintain the original or an electronic copy of the signed agreement and deliver a copy of the signed agreement to the purchaser. Such dealer shall also complete and deliver to the director of revenue such form as the director shall prescribe demonstrating that the purchaser has purchased the vehicle without contemporaneous delivery of the title.

Notwithstanding any provision of law to the contrary, completion of the requirements of this subsection shall constitute prima facie evidence of an ownership interest vested in the purchaser of the vehicle for all purposes other than for a subsequent transfer of ownership of the vehicle by the purchaser, subject to the rights of any secured lienholder of record; however, the purchaser may use the dealer-supplied copy of the agreement to transfer his or her ownership of the vehicle to an insurance company in situations where the vehicle has been declared salvage or a total-loss by the insurance company as a result of a settlement of a claim. The purchaser may also use the dealer-supplied copy of the agreement on the form prescribed by the director of revenue as proof of ownership interest. Any lender or insurance company may rely upon a copy of the signed written agreement on the form prescribed by the director of revenue as proof of ownership. Any lien placed upon a vehicle based upon such signed written agreement shall be valid and enforceable, notwithstanding the absence of a certificate of ownership.

4. Following a sale or other transaction in which a certificate of ownership has not been assigned from the owner to the licensed dealer, the dealer shall, within ten business days, apply for a duplicate or replacement certificate of ownership. Upon receipt of a duplicate or replacement certificate of ownership applied for under subsection 4 of section 301.300, the dealer shall assign and deliver said certificate of ownership to the purchaser of the vehicle within five business days. The dealer shall maintain proof of the assignment and delivery of the certificate of ownership to the purchaser. For purposes of this subsection, a dealer shall be deemed to have delivered the certificate of ownership to the purchaser upon either:

(1) Physical delivery of the certificate of ownership to any of the purchasers identified in the contract with such dealer; or

(2) Mailing of the certificate, postage prepaid, return receipt requested, to any of the purchasers at any of their addresses identified in the contract with such dealer.

5. If a licensed dealer fails to comply with subsection 3 of this section, and the purchaser of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser of the vehicle for actual damages, plus court costs and reasonable attorney fees.

6. If a licensed dealer fails or is unable to comply with subsection 4 of this section, and the purchaser of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser of the vehicle for actual damages, plus court costs and reasonable attorney fees. If the dealer cannot be found by the purchaser after making reasonable attempts, or if the dealer fails to assign and deliver the duplicate or replacement certificate of ownership to the purchaser by the date agreed upon by the dealer and the purchaser, as required by subsection 4 of this section, then the purchaser may deliver to the director a copy of the contract for sale of the vehicle, a copy of the application for duplicate title provided by the dealer to the purchaser, a copy of the secure power of attorney allowing the dealer to assign the duplicate title, and the proof or other evidence obtained by the purchaser from the

dealer under subsection 3 of this section. Thereafter, the director shall mail by certified mail, return receipt requested, a notice to the dealer at the last address given to the department by that dealer. That notice shall inform the dealer that the director intends to cancel any prior certificate of title issued to the dealer on the vehicle and issue to the purchaser a certificate of title in the name of the purchaser, subject to any liens incurred by the purchaser in connection with the purchase of the vehicle, unless the dealer, within ten business days from the date of the director's notice, files with the director a written objection to the director taking such action. If the dealer does file a timely, written objection with the director, then the director shall not take any further action without an order from a court of competent jurisdiction. However, if the dealer does not file a timely, written objection with the director, then the director shall cancel the prior certificate of title issued to the dealer on the vehicle and issue a certificate of title to the purchaser of the vehicle, subject to any liens incurred by the purchaser in connection with the purchase of the vehicle and subject to the purchaser satisfying all applicable taxes and fees associated with registering the vehicle.

7. If a seller misrepresents to a dealer that the seller is the owner of a vehicle and the dealer, the owner, any subsequent purchaser, or any prior or subsequent lienholder is thereby damaged, then the seller shall be liable to each such party for actual and punitive damages, plus court costs and reasonable attorney fees.

8. When a lienholder is damaged as a result of a licensed dealer's acts, errors, omissions, or violations of this section, then the dealer shall be liable to the lienholder for actual damages, plus court costs and reasonable attorney fees.

9. No court costs or attorney fees shall be awarded under this section unless, prior to filing any such action, the following conditions have been met:

(1) The aggrieved party seeking damages has delivered an itemized written demand of the party's actual damages to the party from whom damages are sought; and

(2) The party from whom damages are sought has not satisfied the written demand within thirty days after receipt of the written demand.

10. The department of revenue may use a dealer's repeated or intentional violation of this section as a cause to refuse to issue or renew any license required pursuant to sections 301.550 to 301.573, in addition to the causes set forth in section 301.562. The hearing process shall be the same as that established in subsection 6 of section 301.562."; and

Further amend said bill, page 24, section 301.645, line 18 of said page, by inserting immediately after said line the following:

[407.581. 1. Notwithstanding the provisions of sections 301.200 and 301.210, any person licensed as a motor vehicle dealer under sections 301.550 to 301.573 shall be authorized to purchase or accept in trade any motor vehicle for which there has been issued a certificate of title, and to receive such vehicle subject to any existing liens thereon created and perfected under sections 301.600 to 301.660 provided the licensed dealer receives the following:

(1) A signed written contract between the licensed dealer and the owner of the vehicle; and

(2) Physical delivery of the vehicle to the licensed dealer; and

(3) A power of attorney from the owner to the licensed dealer, in accordance with subsection 4 of section 301.300, authorizing the licensed dealer to obtain a duplicate or replacement title in the owner's name and sign any title assignments on the owner's behalf.

2. If the dealer complies with the requirements of subsection 1 of this section, the sale or trade of the vehicle to the dealer shall be considered final.

3. If a licensed dealer complies with the requirements of subsection 1 of this section, the licensed dealer may sell such vehicle prior to receiving and assigning to the purchaser the certificate of title, provided such dealer complies with the following:

(1) All outstanding liens created on the vehicle pursuant to sections 301.600 to 301.660 have been paid in full, and the dealer provides a copy of proof or other evidence to the purchaser; and

(2) The dealer has obtained proof or other evidence from the department of revenue confirming that no outstanding child support liens exist upon the vehicle at the time of sale and provides a copy of said proof or other evidence to the purchaser; and

(3) The dealer has obtained proof or other evidence from the department of revenue confirming that all applicable state sales tax has been satisfied on the sale of the vehicle to the previous owner and provides a copy of said proof or other evidence to the purchaser; and

(4) The dealer has signed and submitted an application for duplicate or replacement title for the vehicle pursuant to subsection 4 of section 301.300 and provides a copy of the application to the purchaser, along with a copy of the power of attorney required under subsection 1 of this section.

4. Following a sale or other transaction in which a certificate of title has not been assigned from the owner to the dealer, a licensed dealer shall, within five business days, apply for a duplicate or replacement title. Upon receipt of a duplicate or replacement title applied for pursuant to subsection 4 of section 301.300, the dealer shall assign and deliver said certificate of title to the purchaser of the vehicle within five business days. The dealer shall maintain proof of the assignment and delivery of the certificate of title to the purchaser. For purposes of this subsection, a dealer shall be deemed to have delivered the certificate of title to the purchaser upon either:

(1) Physical delivery of the certificate of title to any of the purchasers identified in the contract with the dealer; or

(2) Mailing of the certificate, postage prepaid, return receipt requested, to any of the purchasers at any of their addresses identified in the contract with the dealer.

5. If a dealer fails to comply with subsection 3 of this section, and the purchaser of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser of the vehicle for actual damages, plus court costs and reasonable attorney fees.

6. If a dealer fails to comply with subsection 4 of this section, and the purchaser of the vehicle is thereby damaged, then the dealer shall be liable to the purchaser of the vehicle for actual damages, plus court costs and reasonable attorney fees. If the dealer cannot be found by the purchaser after making reasonable attempts, and thereby fails to assign and deliver the duplicate or replacement certificate of title to the purchaser, as required by subsection 4 of this section, then the purchaser may deliver to the director a copy of the contract for sale of the vehicle, a copy of the application for duplicate title provided by the dealer to the purchaser, a copy of the secure power

of attorney allowing the dealer to assign the duplicate title, and the proof or other evidence obtained by the purchaser from the dealer under subsection 3 of this section. Thereafter, the director shall mail by certified mail, return receipt requested, a notice to the dealer at the last address given to the department by that dealer. That notice shall inform the dealer that the director intends to cancel any prior certificate of title issued to the dealer on the vehicle and issue to the purchaser a certificate of title in the name of the purchaser, subject to any liens incurred by the purchaser in connection with the purchase of the vehicle, unless the dealer, within ten business days from the date of the director's notice, files with the director a written objection to the director taking such action. If the dealer does file a timely, written objection with the director, then the director shall not take any further action without an order from a court of competent jurisdiction. However, if the dealer does not file a timely, written objection with the director, then the director shall cancel the prior certificate of title issued to the dealer on the vehicle and issue a certificate of title to the purchaser of the vehicle, subject to any liens incurred by the purchaser in connection with the purchase of the vehicle and subject to the purchaser satisfying all applicable taxes and fees associated with registering the vehicle.

7. If a seller fraudulently misrepresents to a dealer that the seller is the owner of a vehicle and the dealer or any subsequent purchaser is thereby damaged, then the seller shall be liable to the dealer and any subsequent purchaser for actual damages, plus court costs and reasonable attorney fees.

8. When a lienholder is damaged as a result of acts or omissions by the dealer to the lienholder or any party covered by subsections 5, 6, and 7 of this section, or by any combination of claims under this subsection, then the dealer shall be liable to the lienholder for actual damages, plus court costs and reasonable attorney fees.

9. No court costs or attorney fees shall be awarded under this section unless, prior to filing any such action, the following conditions have been met:

(1) The aggrieved party seeking damages has delivered an itemized written demand of the party's actual damages to the party from whom damages are sought; and

(2) The party from whom damages are sought has not satisfied the written demand within thirty days after receipt of the written demand.]; and

Further amend the title and enacting clause accordingly.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 278, Page 16, Section 301.067, Line 28 of said page, by inserting immediately after said line the following:

"301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the

registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the “DISABLED VETERAN” wording on the license plates in preference to the words “SHOW-ME STATE” and special plates for members of the National Guard will have the “NATIONAL GUARD” wording in preference to the words “SHOW-ME STATE”.

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle, except as provided in this subsection. The applicant for registration of any property-carrying commercial vehicle registered at a gross weight in excess of twelve thousand pounds may request and be issued two license plates for such vehicle, and if such plates are issued, the director of revenue shall provide for distinguishing marks on the plates indicating one plate is for the front and the other is for the rear of such vehicle. The director may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, [with the letters and numbers thereon right side up] **and may be mounted with the letters and numbers thereon right side up or mounted vertically on the left rear of such motor vehicles so long as the plate is plainly visible.** The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required

fees have been paid.

6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs shall be produced in each license bureau office.

(2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate.

(3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of eighteen thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for eighteen thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.

9. No later than January 1, 2009, the director of revenue shall commence the reissuance of new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.”; and

Further amend the title and enacting clause accordingly.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Schatz moved that **SS** for **SCS** for **SB 278**, as amended, be adopted, which motion prevailed.

On motion of Senator Schatz, **SS** for **SCS** for **SB 278**, as amended, was declared perfected and ordered printed.

On motion of Senator Richard, the Senate recessed until 8:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

SENATE BILLS FOR PERFECTION

Senator Schaaf moved that **SB 473**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 473**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 473

An Act to repeal sections 162.471, 162.481, and 162.491, RSMo, and to enact in lieu thereof four new sections relating to school directors for urban school districts, with an emergency clause.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 473** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 473, Page 1, In the Title, Line 2, by inserting immediately after “RSMo,” the following: “and sections 162.481 and 162.491 as truly agreed to and finally passed in senate substitute for senate committee substitute for house committee substitute no. 2 for house bill no. 63, ninety-eighth general assembly, first regular session,”; and

Further amend said bill and page, section A, line 1, by inserting immediately after “RSMo,” the following: “and sections 162.481 and 162.491 as truly agreed to and finally passed in senate substitute for

senate committee substitute for house committee substitute no. 2 for house bill no. 63, ninety-eighth general assembly, first regular session,"; and

Further amend said bill, pages 5-7, section 162.481, by striking all of said section and inserting in lieu thereof the following:

"162.481. 1. Except as otherwise provided in this section **and in section 162.492**, all elections of school directors in urban **school** districts shall be held biennially at the same times and places as municipal elections.

2. [In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3.] Except as otherwise provided in subsections **3**, **4**, and **5** of this section, hereafter when a seven-director district becomes an urban **school** district, the directors of the prior seven-director district shall continue as directors of the urban **school** district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban **school** district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban **school** district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban **school** district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban **school** district have been elected under this subsection, their successors shall be elected for terms of six years.

[4.] **3.** In any school district in [any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any school district which becomes an urban school district by reason of the 2000 federal decennial census] **which a majority of the district is located in any home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants**, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

4. For any school district which becomes an urban school district by reason of the 2000 federal

decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 2001.

5. In any school district in any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants which becomes an urban school district by reason of the 2010 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after April 2, 2012.

6. In any urban school district in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire. Beginning at the general municipal election in 2016, directors shall be elected in the following manner:

(1) For the two directors' terms that expire at the general municipal election in 2016, their successor members shall be elected for a term of three years and until their successors are duly elected and qualified. Successor members shall continue to be elected for a term of three years and until their successors are duly elected and qualified;

(2) For the three directors' terms that expire at the general municipal election in 2018, their successor members shall be elected for a term of two years and until their successors are duly elected and qualified. When such terms expire at the general municipal election in 2020, the successor members shall be elected for a term of three years and until their successors are duly elected and qualified. Successor members shall continue to be elected for a term of three years and until their successors are duly elected and qualified;

(3) For the two directors' terms that expire at the general municipal election in 2020, their successor members shall be elected for a term of one year and until their successors are duly elected and qualified. When such terms expire at the general municipal election in 2021, their successor members shall be elected for a term of three years and until their successors are duly elected and qualified. Successor members shall continue to be elected for a term of three years and until their successors are duly elected and qualified.”; and

Further amend said bill, page 7, section 162.491, line 22, by inserting immediately after said line the following:

“[162.481. 1. Except as otherwise provided in this section **and in section 162.492**, all elections of school directors in urban **school** districts shall be held biennially at the same times and places as municipal elections.

2. [In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected,

two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3.] Except as otherwise provided in subsections 3, 4, and 5 of this section, hereafter when a seven-director district becomes an urban **school** district, the directors of the prior seven-director district shall continue as directors of the urban **school** district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban **school** district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban **school** district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

[4.] **3.** In any school district in [any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any school district which becomes an urban school district by reason of the 2000 federal decennial census] **which a majority of the district is located in any home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants**, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

4. For any school district which becomes an urban school district by reason of the 2000 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 2001.

5. In any school district in any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants which becomes an urban school district by reason of the 2010 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after April 2, 2012.

6. In any urban school district in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and upon expiration of any term after August 28, 2015, the term of office shall be for three years and until their successors are duly elected and qualified.]

[162.491. 1. Directors for urban school districts, other than those districts containing the greater part of a city of over one hundred thirty thousand inhabitants, may be nominated by petition to be filed with the secretary of the board and signed by a number of voters in the district equal to ten percent of the total number of votes cast for the director receiving the highest number of votes cast at the next preceding biennial election, **except as provided in subsection 4 of this section.**

2. This section shall not be construed as providing the sole method of nominating candidates for the office of school director in urban districts which do not contain the greater part of a city of over three hundred thousand inhabitants.

3. A director for any urban school district containing a city of greater than one hundred thirty thousand inhabitants and less than three hundred thousand inhabitants may be nominated as an independent candidate by filing with the secretary of the board a petition signed by five hundred registered voters of such school district.

4. In any urban school district located in a home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants, a candidate for director shall file a declaration of candidacy with the secretary of the board and shall not be required to submit a petition.]”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf moved that **SCS** for **SB 473**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaaf, **SCS** for **SB 473**, as amended, was declared perfected and ordered printed.

Senator Schmitt moved that **SB 452** be taken up for perfection, which motion prevailed.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 452, Page 1, In the Title, Lines 5-6, by striking “the offense of failure to appear” and inserting in lieu thereof the following: “traffic offenses”; and

Further amend said bill and page, section A, line 5, by inserting immediately after said line the following:

“307.178. 1. As used in this section, the term “passenger car” means every motor vehicle designed for carrying ten persons or less and used for the transportation of persons; except that, the term “passenger car” shall not include motorcycles, motorized bicycles, motor tricycles, and trucks with a licensed gross weight of twelve thousand pounds or more.

2. Each driver, except persons employed by the United States Postal Service while performing duties

for that federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles, and front seat passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway in this state, and persons less than eighteen years of age operating or riding in a truck, as defined in section 301.010, on a street or highway of this state shall wear a properly adjusted and fastened safety belt that meets federal National Highway, Transportation and Safety Act requirements. No person shall be stopped, inspected, or detained solely to determine compliance with this subsection. The provisions of this section and section 307.179 shall not be applicable to persons who have a medical reason for failing to have a seat belt fastened about their body, nor shall the provisions of this section be applicable to persons while operating or riding a motor vehicle being used in agricultural work-related activities. Noncompliance with this subsection shall not constitute probable cause for violation of any other provision of law. The provisions of this subsection shall not apply to the transporting of children under sixteen years of age, as provided in section 307.179.

3. Each driver of a motor vehicle transporting a child less than sixteen years of age shall secure the child in a properly adjusted and fastened restraint under section 307.179.

4. In any action to recover damages arising out of the ownership, common maintenance or operation of a motor vehicle, failure to wear a safety belt in violation of this section shall not be considered evidence of comparative negligence. Failure to wear a safety belt in violation of this section may be admitted to mitigate damages, but only under the following circumstances:

(1) Parties seeking to introduce evidence of the failure to wear a safety belt in violation of this section must first introduce expert evidence proving that a failure to wear a safety belt contributed to the injuries claimed by plaintiff;

(2) If the evidence supports such a finding, the trier of fact may find that the plaintiff's failure to wear a safety belt in violation of this section contributed to the plaintiff's claimed injuries, and may reduce the amount of the plaintiff's recovery by an amount not to exceed one percent of the damages awarded after any reductions for comparative negligence.

5. Except as otherwise provided for in section 307.179, each person who violates the provisions of subsection 2 of this section is guilty of an infraction for which a fine not to exceed [ten] **fifty** dollars may be imposed. All other provisions of law and court rules to the contrary notwithstanding, no court costs shall be imposed on any person due to a violation of this section. In no case shall points be assessed against any person, pursuant to section 302.302, for a violation of this section.

6. The state highways and transportation commission shall initiate and develop a program of public information to develop understanding of, and ensure compliance with, the provisions of this section. The commission shall evaluate the effectiveness of this section and shall include a report of its findings in the annual evaluation report on its highway safety plan that it submits to NHTSA and FHWA pursuant to 23 U.S.C. 402.

7. If there are more persons than there are seat belts in the enclosed area of a motor vehicle, then the passengers who are unable to wear seat belts shall sit in the area behind the front seat of the motor vehicle unless the motor vehicle is designed only for a front-seated area. The passenger or passengers occupying a seat location referred to in this subsection is not in violation of this section. This subsection shall not apply to passengers who are accompanying a driver of a motor vehicle who is licensed under section 302.178.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

Senator Schmitt raised the point of order that **SA 1** is out of order in that it goes beyond the scope and title of the bill.

The point of order was referred to the President Pro Tem who took it under advisement, which placed **SB 452**, with **SA 1** and the point of order (pending) on the Informal Calendar.

Senator Schaefer moved that **SB 210**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 210**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 210

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof seven new sections relating to health care providers.

Was taken up.

Senator Schaefer moved that **SCS** for **SB 210** be adopted.

Senator Schaefer offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 210, Page 2, Section 208.482, Line 3, by inserting immediately after the word “hospital” the following: “, **excluding department of mental health state operated psychiatric hospitals**,”.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator LeVota offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 210, Page 1, In the Title, Line 4, by striking all of said line and inserting in lieu thereof the following: “.”; and

Further amend said bill and page, section 198.439, line 2, by inserting after all of said line the following:

“208.207. 1. Beginning January 1, 2016, individuals age nineteen to sixty-four, who are not otherwise eligible for MO HealthNet services under this chapter, who qualify for MO HealthNet services under section 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and as set forth in 42 CFR 435.119, and who have income at or below one hundred thirty-three percent of the federal poverty level plus five percent of the applicable family size as determined under 42 U.S.C. 1396a(e)(14) and as set forth in 42 CFR 435.603, shall be eligible for medical assistance under MO HealthNet and shall receive coverage for the health benefits service package.

2. For purposes of this section, “health benefits service package” shall mean subject to federal approval, benefits covered by the MO HealthNet program as determined by the department of social

services to meet the benchmark or benchmark-equivalent coverage requirement under 42 U.S.C. 1396a(k)(1).

3. The reimbursement rate to MO HealthNet providers for MO HealthNet services provided to individuals qualifying under the provisions of this section shall be comparable to commercial reimbursement payment levels with trend adjustment for comparable services. The rates shall be determined annually by the department of social services and the department may develop such rates through a contracted actuary. The higher commercial comparable rates shall only apply for services provided to individuals qualifying under this section.

4. In the event that the federal Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010, Public Law 111-152, and any amendments thereto, is repealed in whole or in part or if federal funds at the disposal of the state for payments of money benefits to or on behalf of any persons under this section shall at any time become insufficient or are not appropriated to pay the percentages specified in Section 2001 of PL 111-148, as that section existed on March 28, 2010, this section shall no longer be effective.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted.

Senator Schaefer requested a roll call vote be taken. He was joined in his request by Senators Keaveny, Nasheed, LeVota and Schaaf.

President Pro Tem Dempsey assumed the Chair.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	LeVota	Nasheed	Schupp	Sifton
Walsh—9							

NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson
Wieland—25							

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Schaefer moved that **SCS** for **SB 210**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **SB 210**, as amended, was declared perfected and ordered printed.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 684, regarding Andrew Lachlan McLean, Blue Springs, which was adopted.

Senator LeVota offered Senate Resolution No. 685, regarding the death of Mason Folau Atagi,

Independence, which was adopted.

Senator LeVota offered Senate Resolution No. 686, regarding the death of Charles A. “Charlie” Burton, Drexel, which was adopted.

Senator LeVota offered Senate Resolution No. 687, regarding the death of Rick Winship, Independence, which was adopted.

Senator Brown offered Senate Resolution No. 688, regarding the Forty-fifth Anniversary of the Rolla Area Sheltered Workshop, which was adopted.

Senator Brown offered Senate Resolution No. 689, regarding Robert O’Neill, which was adopted.

Senator Libla offered Senate Resolution No. 690, regarding Gorden Lawson Metcalf, Dexter, which was adopted.

Senator Holsman offered Senate Resolution No. 691, regarding the Class 3 State Champion Barstow Knights Basketball Team, Kansas City, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, sixty-two college officials, thirty-two students returning from studying abroad, and two hundred sixty international students representing sixty-six countries.

Senator Brown introduced to the Senate, Instructor Richie Myers, Newburg; and twelve International students from Brazil, Saudi Arabia, Botswana, Palestine, Bangladesh, Nigeria, Syria and Macedonia, Missouri University Science and Technology, Rolla.

Senator Pearce introduced to the Senate, Krista McCormack, Erin Thiemann, Celeste Lawrence, and Galen Spielman, Washington University, St. Louis.

Senator Curls introduced to the Senate, representatives of Alpha Kappa Alpha Sorority, Inc.

Senator Wallingford introduced to the Senate, Kenneth and Cathy Kieser, Lake Waukomis.

Senator Pearce introduced to the Senate, students from the University of Central Missouri, Warrensburg.

Senator Kehoe introduced to the Senate, teachers Brenda Raymer and Rachel Ratcliff, parents and fifty-two fourth grade students from St. Peter’s Inter-parish School.

Senator Keaveny introduced to the Senate, Michael Magliari, St. Louis.

Senator Schupp introduced to the Senate, teachers Carly Shaw, Deb Collesano and Katie Venturella, and fifteen fourth grade students from St. Andrews Academy.

Senator Munzlinger introduced to the Senate, representatives of the Missouri Beer Wholesalers.

Senator Pearce introduced to the Senate, Philip Griffin, Odessa.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

 FORTY-FOURTH DAY—WEDNESDAY, APRIL 1, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 468-Berry	HB 861-Fitzwater (49)
HB 118-Burlison	HB 531-Solon
HCS for HB 70	HCS for HB 104
HCS for HB 187	HCS for HB 325
HB 506-Zerr	HB 430-Curtman
HCS for HB 709	HB 985-Haefner
HB 458-Allen	HCS for HB 722
HB 529-Gosen	HCS for HB 132
HCS for HB 592	HCS for HB 299
HCS for HB 553	HB 440-Koenig
HB 514-Leara	HB 556-Wood
HB 878-Rhoads	HCS for HB 635
HCS for HB 613	HB 502-Kelley
HCS for HB 119	HB 589-Hough
HB 152-Haahr	HCS for HBs 578, 574, & 584
HCS for HB 33	HCS for HB 766
HB 276-Cornejo	HB 873-Johnson
HCS for HB 95	HB 34-Walker
HB 269-Miller	HB 326-Leara
HB 758-Rowland	HB 515-Leara
HB 403-Phillips	HB 629-Leara
HB 401-Fraker	HB 522-Cookson
HB 108-McCaherty	HB 686-Hinson
HB 133-Rowland	HB 775-Fitzwater
HB 650-Cornejo	HB 859-Dunn
HB 778-Ruth	HB 874-Remole

THIRD READING OF SENATE BILLS

- | | |
|---|--|
| 1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight) | 3. SS for SB 201-Dixon (In Fiscal Oversight) |
| 2. SCS for SB 56-Munzlinger
(In Fiscal Oversight) | 4. SB 203-Dixon (In Fiscal Oversight) |
| | 5. SCS for SB 322-Dempsey
(In Fiscal Oversight) |

- | | |
|----------------------------|---------------------------------------|
| 6. SB 316-Brown | 10. SCS for SB 93-Emery |
| 7. SCS for SB 300-Silvey | 11. SS for SCS for SBs 63 & 111-Sater |
| 8. SCS for SB 146-Pearce | (In Fiscal Oversight) |
| 9. SCS for SB 109-Schaefer | |

SENATE BILLS FOR PERFECTION

- | | |
|----------------------------------|------------------------------|
| 1. SB 167-Schaaf, with SCS | 11. SB 190-Curls, with SCS |
| 2. SB 372-Keaveny, with SCS | 12. SB 197-Brown, with SCS |
| 3. SB 475-Dempsey | 13. SB 445-Romine, with SCS |
| 4. SB 386-Keaveny | 14. SB 456-Kehoe, with SCS |
| 5. SB 345-Wasson, with SCS | 15. SB 244-Schmitt |
| 6. SB 499-Wasson, with SCS | 16. SB 389-Silvey and Walsh |
| 7. SB 524-Cunningham | 17. SB 155-Nasheed |
| 8. SB 80-Dixon, with SCS | 18. SB 433-Dixon and Dempsey |
| 9. SB 199-Dixon, et al, with SCS | 19. SB 328-Schupp, with SCS |
| 10. SB 20-Kraus | |

HOUSE BILLS ON THIRD READING

- | | |
|----------------------------------|-------------------------------------|
| HCS for HB 42, with SCS (Pearce) | HB 384-Flanigan, with SCA 1 (Dixon) |
| (In Fiscal Oversight) | (In Fiscal Oversight) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 37-Romine, with SCS & SA 1 (pending) | SBs 331 & 21-Libla, with SCS & SS for |
| SB 59-Dixon | SCS (pending) |
| SB 142-Romine, with SCS & SS#2 for SCS | SB 358-Kehoe |
| (pending) | SB 424-Pearce, with SA 1 (pending) |
| SB 159-Parson | SB 452-Schmitt, et al, with SA 1 & point |
| SB 227-Emery, with SS (pending) | of order (pending) |
| SB 233-Kehoe, with SCS & SA 2 (pending) | SJR 7-Richard and Wallingford |
| SB 302-Riddle, with SCS (pending) | |

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

- SS#2 for SCS for SB 24-Sater, with HCS,
as amended

RESOLUTIONS

Reported from Committee

SCR 13-Curls
SCR 14-Schaefer
SCR 15-Riddle
SCR 17-Hegeman
SCR 20-Emery
SCRs 21, 19 & 23-Dixon, et al, with SCS
SCR 22-Schaefer
SCR 25-Munzlinger

SCR 26-Dempsey, with SCS
SCR 29-Onder
SCR 30-Kehoe, with SCS
SCR 31-Cunningham
SCR 32-Hegeman
HCR 15-Roden (Wieland)
HCR 21-Miller (Kehoe)

To be Referred

HCR 16-Gannon
HCR 27-McGaugh

HCR 28-Houghton
HCR 29-Love

✓

Journal of the Senate

FIRST REGULAR SESSION

FORTY-FOURTH DAY—WEDNESDAY, APRIL 1, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Wait for the Lord; be strong, and let your heart take courage; wait for the Lord!” (Psalm 27:14)

We wait for Your presence and help, O Lord. Especially, we call upon You when the days are to full and sleep is difficult to come by. We seek a quiet place to find You, O God. Give us strength to endure the work ahead of us, courage to tackle the most troubling problems and peace of mind that helps us deal with all we confront each day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Senator Richard requested unanimous consent of the Senate to correct the Senate Journal for Tuesday, March 31, 2015, which request was granted.

The following correction was made to the Journal for Tuesday, March 31, 2015, page 670, line 16, by inserting after said line the following:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NOS. 21, 19 & 23

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Whereas, the Founders of our Constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas, it is the solemn duty of the states to protect the liberty of our people - particularly for the generations to come - to propose amendments to the United States Constitution through a convention of states under Article V to place clear restraints on these and related abuses of power:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby apply to Congress, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on

the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and members of Congress; and

Be It Further Resolved that this application constitutes a continuing application in accordance with Article V of the United States Constitution until the legislatures of at least two-thirds of the several states have made applications on the same subject; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Missouri Congressional delegation, and the presiding officers of each of the legislative houses in the several states requesting their cooperation.

The Journal of the previous day was read and approved as corrected.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 692, regarding Marvin Guberman, Saint Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 693, regarding Mike and Fritz Lainoff, which was adopted.

Senator Sifton offered Senate Resolution No. 694, regarding Kathleen Harangozo, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 695, regarding Mary Buhr, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 696, regarding Laura Cummiskey, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 697, regarding Robert DePung, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 698, regarding Laura Werner, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 699, regarding Andy Guethle, Imperial, which was

adopted.

Senator Sifton offered Senate Resolution No. 700, regarding Beth Rivera, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 701, regarding Heather Reed, Fenton, which was adopted.

Senator Sifton offered Senate Resolution No. 702, regarding Erinn Aug, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 703, regarding Laura Crites, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 704, regarding Raymond Bernard Vancilio, St. Louis, which was adopted.

Senator Keaveny offered Senate Resolution No. 705, regarding Lewis E. Johnson, St. Louis, which was adopted.

Senator Sater offered Senate Resolution No. 706, regarding Tanner Marney, Monett, which was adopted.

Senator Sater offered Senate Resolution No. 707, regarding the Ninetieth Birthday of Delores Sue Compton, Mount Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 708, regarding the Ninetieth Birthday of Reverend Johnie Mitchell, Washburn, which was adopted.

Senator Schaefer offered Senate Resolution No. 709, regarding the 2014-2015 University of Missouri Wrestling program, which was adopted.

SENATE BILLS FOR PERFECTION

At the request of Senator Schaaf, **SB 167**, with **SCS** was placed on the Informal Calendar.

Senator Keaveny moved that **SB 372**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 372**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 372

An Act to repeal section 105.915, RSMo, and to enact in lieu thereof one new section relating to the state of Missouri deferred compensation plan.

Was taken up.

Senator Keaveny moved that **SCS** for **SB 372** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 372, Page 2, Section 105.915, Lines 34-36, by striking the following: "Each employee hired or rehired on or after such date shall automatically be enrolled in the automatic increase feature of the plan."

Senator Hegeman moved that the above amendment be adopted.

Senator Keaveny offered **SSA 1** for **SA 1**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 372, Page 2, Section 105.915, Line 31, by striking the word “July” and inserting in lieu thereof the following: “**January**”.

Senator Keaveny moved that the above substitute amendment be adopted, which motion failed.

SA 1 was again taken up.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed on a standing division vote.

At the request of Senator Keaveny, **SB 372**, with **SCS** (pending), was placed on the Informal Calendar.

At the request of Senator Dempsey, **SB 475** was placed on the Informal Calendar.

Senator Keaveny moved that **SB 386** be taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Keaveny offered **SS** for **SB 386**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 386

An Act to repeal sections 192.945, 195.207, and 261.265, RSMo, and to enact in lieu thereof four new sections relating to hemp extract.

Senator Keaveny moved that **SS** for **SB 386** be adopted.

Senator Schaaf offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 386, Page 2, Section 192.945, Lines 5-10, by striking all of said lines and inserting in lieu thereof the following:

“**is qualified to treat a serious condition;**”.

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Keaveny, **SB 386**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Wasson moved that **SB 345**, with **SCS**, be taken up for perfection, which motion prevailed.

Senator Kraus assumed the Chair.

SCS for **SB 345**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 345

An Act to repeal sections 361.707, 361.715, 364.030, 364.105, 365.030, 367.140, 407.640, and 408.500, RSMo, and to enact in lieu thereof eight new sections relating to licensing fees paid to the director of the

division of finance, with an existing penalty provision.

Was taken up.

Senator Wasson moved that **SCS** for **SB 345** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 345**, was declared perfected and ordered printed.

Senator Wasson moved that **SB 499**, with **SCS**, be taken up for perfection, which motion prevailed.

Senator Wallingford assumed the Chair.

SCS for **SB 499**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 499

An Act to repeal section 327.272, RSMo, and to enact in lieu thereof one new section relating to professional land surveyors.

Was taken up.

Senator Wasson moved that **SCS** for **SB 499** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 499** was declared perfected and ordered printed.

SB 524 was placed on the Informal Calendar.

SB 80, with **SCS**, was placed on the Informal Calendar.

SB 199, with **SCS**, was placed on the Informal Calendar.

Senator Kraus moved that **SB 20** be taken up for perfection, which motion prevailed.

On motion of Senator Kraus, **SB 20** was declared perfected and ordered printed.

At the request of Senator Curls, **SB 190**, with **SCS**, was placed on the Informal Calendar.

Senator Brown moved that **SB 197**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 197**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 197

An Act to repeal section 208.952, RSMo, and to enact in lieu thereof one new section relating to the joint committee on MO HealthNet.

Was taken up.

Senator Brown moved that **SCS** for **SB 197** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 197** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 210**; **SCS for SB 230**; **SS for SCS for SB 278**; and **SCS for SB 473**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS for SS for SCS for SB 12**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

CONCURRENT RESOLUTIONS DELIVERED TO THE GOVERNOR

SCR 4, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

On motion of Senator Kehoe, the Senate recessed until 5:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 341**, entitled:

An Act to repeal section 130.026 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.026 as enacted by senate bill no. 262, eighty-eighth general assembly, first regular session, and to enact in lieu thereof one new section relating to the filing of ethics reports, with an effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 675**, entitled:

An Act to repeal section 304.190, RSMo, and to enact in lieu thereof one new section relating to municipal commercial zones.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 279**, entitled:

An Act to amend chapter 311, RSMo, by adding thereto one new section relating to the sale of draft beer.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 345**; **SCS** for **SB 197**; **SB 20**; and **SCS** for **SB 499**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 384**, with **SCA 1**, begs leave to report that it has considered the same and recommends that the bill do pass.

HOUSE BILLS ON THIRD READING

HB 384, introduced by Representative Flanigan, with **SCA 1**, entitled:

An Act to amend chapter 32, RSMo, by adding thereto one new section relating to tax amnesty, with an emergency clause.

Was taken up by Senator Dixon.

SCA 1 was taken up.

Senator Dixon moved that the above committee amendment be adopted, which motion failed.

Senator Dixon offered **SS** for **HB 384**, entitled:

SENATE SUBSTITUTE FOR HOUSE BILL NO. 384

An Act to amend chapters 32 and 136, RSMo, by adding thereto four new sections relating to taxation, with an emergency clause for a certain section.

Senator Dixon moved that **SS** for **HB 384** be adopted.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 384, Page 7, Section 32.385, Line 26 of said page, by inserting immediately after said line the following:

“37.650. 1. There is hereby established within the office of administration the “Office of Taxpayer Advocate”, for the purpose of providing independent assistance to taxpayers. The taxpayer advocate

shall report directly to the commissioner of the office of administration.

2. The office shall be administered by the taxpayer advocate, who shall be appointed by the governor with the advice and consent of the senate. The taxpayer advocate shall hold office for a term of six years and shall continue to hold office until a successor has been duly appointed. The advocate shall act independently of the department of revenue in the performance of his or her duties. The office of administration shall provide administrative support and staff as deemed necessary.

3. The office shall have the authority:

- (1) To communicate with any taxpayer regarding any tax issues that the taxpayer is experiencing;
- (2) To communicate with any employees of the department of revenue regarding a taxpayer's tax issues; and
- (3) To have access to any records held by any department or agency regarding a taxpayer's tax issues.

4. For any information obtained from a state agency or entity under this section, the office of taxpayer advocate shall be subject to the same disclosure restrictions and confidentiality requirements that apply to the state agency or entity providing such information to the office of taxpayer advocate. For information obtained directly by the office of taxpayer advocate under this section, the office of taxpayer advocate shall be subject to the same disclosure restrictions and confidentiality requirements that apply to the department of revenue.

5. The office shall annually submit to the governor and the general assembly a detailed report on the work of the office of the taxpayer advocate. Such report shall include, but not be limited to, the number of taxpayer cases handled by the office and the disposition of such cases. The report shall also include any recommendation for changes in tax laws or the operation of the department of revenue. The report filed by the office shall not be subject to review by any executive branch official.”; and

Further amend said bill, page 8, section 136.375, line 1, by inserting after all of said line the following:

“136.380. [1. The director of revenue shall establish or designate within the department of revenue the “Office of Taxpayers’ Ombudsman”. Such office shall be available to answer taxpayer questions and help solve taxpayer grievances. The telephone number, facsimile number and address of the taxpayers’ ombudsman shall be disseminated to the general public as required in subsection 2 of section 136.355. Such office shall be created from existing personnel or can be staffed from appropriations made for such purpose.

2.] Any employee of the department of revenue which communicates with an individual taxpayer either in writing or by telephone shall provide the taxpayer with an identifying number associated with the employee. The director may develop the identifying procedure by policy.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Bill No. 384, Page 3, Section 32.383, Lines 16-17, by striking the

words “or this state’s statutes” and inserting in lieu thereof the following: “, **this state’s statutes, or subsection 9 of this section**”; and further amend line 17 by inserting after all of said line the following:

“9. The department of revenue may enter into an agreement with a third-party vendor to provide collection services for eligible delinquent tax liabilities that the department has undertaken to collect under this section, and to assist with the administration of the amnesty program under which contingency and other fees may be payable to such approved vendor out of the revenues from the amnesty program.”; and further amend said section by renumbering the remaining subsections accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Bill No. 384, Page 3, Section 32.383, Line 17, by striking the words “state general revenue fund.” and inserting in lieu thereof the following: **“tax amnesty fund created in subsection 9 of this section. Moneys in the fund shall only be expended for the following except that any excess monies not used for such purposes shall be deposited into the state general revenue fund:**

(1) An increase in the rate of reimbursement to MO HealthNet providers for the fiscal year ending June 30, 2016, above the rate in effect for the fiscal year ending June 30, 2015; and

(2) An increase in the number of adults receiving dental coverage under MO HealthNet in the fiscal year ending June 30, 2016, above the number of adults receiving dental coverage in the fiscal year ending June 30, 2015.

9. There is hereby created in the state treasury the “Tax Amnesty Fund”, which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the purpose provided in subsection 8 of this section. Any moneys remaining in the fund at the end of the biennium shall revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.”; and further amend said section by renumbering the remaining subsections accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator Silvey offered **SSA 1** for **SA 3**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Bill No. 384, Page 3, Section 32.383, Line 17, by striking the words “state general revenue fund” and inserting in lieu thereof the following: **“state school moneys fund created in section 166.051”**.

Senator Silvey moved that the above substitute amendment be adopted.

Senator Silvey requested a roll call vote be taken. He was joined in his request by Senators Kehoe, Parson, Riddle and Wieland.

SSA 1 for **SA 3** failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Hegeman	Holsman	Kehoe	Nasheed	Schaefer	Schmitt
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Sifton Silvey Walsh Wieland—12

NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Keaveny	Kraus	LeVota
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaaf	Schatz	Schupp	Wallingford	Wasson—22		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

SA 3 was again taken up.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Emery offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for House Bill No. 384, Page 1, Section 32.383, Line 8, by striking the words “, additions to tax, and interest” and inserting in lieu thereof the following: “**and additions to tax**”; and further amend lines 11-12 by striking the words “, additions to tax, and interest” and inserting in lieu thereof the following: “**and additions to tax**”; and

Further amend said bill and section, page 2, line 5 by striking the words “, addition to tax, or interest” and inserting in lieu thereof the following: “**or addition to tax**”; and further amend lines 17-18 by striking the words “, addition to tax, or interest” and inserting in lieu thereof the following: “**or addition to tax**”; and further amend line 26, by striking the words “, additions to tax, and interest” and inserting in lieu thereof the following: “**and additions to tax**”.

Senator Emery moved that the above amendment be adopted, which motion failed.

Having voted on the prevailing side, Senator Kraus moved that the vote by which **SA 1** to **SS** for **HB 384** was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kraus, **SA 1** was withdrawn.

Senator Kraus offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for House Bill No. 384, Page 7, Section 32.385, Line 26, of said page, by inserting immediately after said line the following:

“37.650. 1. There is hereby established within the department of revenue the “Office of Taxpayer Advocate”, for the purpose of providing independent assistance to taxpayers.

2. The office shall be administered by the taxpayer advocate, who shall be appointed by the governor with the advice and consent of the senate. The taxpayer advocate shall hold office for a term of six years and shall continue to hold office until a successor has been duly appointed. The advocate shall act independently of the department of revenue in the performance of his or her duties. The department of revenue shall provide administrative support and staff as deemed necessary.

3. The office shall have the authority:

(1) To communicate with any taxpayer regarding any tax issues that the taxpayer is experiencing;

(2) To communicate with any employees of the department of revenue regarding a taxpayer’s tax issues; and

(3) To have access to any records held by any department or agency regarding a taxpayer’s tax issues.

4. For any information obtained from a state agency or entity under this section, the office of taxpayer advocate shall be subject to the same disclosure restrictions and confidentiality requirements that apply to the state agency or entity providing such information to the office of taxpayer advocate. For information obtained directly by the office of taxpayer advocate under this section, the office of taxpayer advocate shall be subject to the same disclosure restrictions and confidentiality requirements that apply to the department of revenue.

5. The office shall annually submit to the governor and the general assembly a detailed report on the work of the office of the taxpayer advocate. Such report shall include, but not be limited to, the number of taxpayer cases handled by the office and the disposition of such cases. The report shall also include any recommendation for changes in tax laws or the operation of the department of revenue. The report filed by the office shall not be subject to review by any executive branch official.”; and

Further amend said bill, page 8, section 136.375, line 1, by inserting after all of said line the following:

“136.380. [1. The director of revenue shall establish or designate within the department of revenue the “Office of Taxpayers’ Ombudsman”. Such office shall be available to answer taxpayer questions and help solve taxpayer grievances. The telephone number, facsimile number and address of the taxpayers’ ombudsman shall be disseminated to the general public as required in subsection 2 of section 136.355. Such office shall be created from existing personnel or can be staffed from appropriations made for such purpose.

2.] Any employee of the department of revenue which communicates with an individual taxpayer either in writing or by telephone shall provide the taxpayer with an identifying number associated with the employee. The director may develop the identifying procedure by policy.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SS** for **HB 384**, as amended, be adopted, which motion prevailed.

Senator Dixon moved that **SS** for **HB 384**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Dempsey referred **SS** for **HB 384**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

REFERRALS

President Pro Tem Dempsey referred **SCS** for **SB 210**; **SCS** for **SB 230**; **SS** for **SCS** for **SB 278**; **SCS** for **SB 473**; **SCS** for **SB 197**; and **SB 20** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **HCR 16**; **HCR 27**; **HCR 28**; and **HCR 29** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

REPORTS OF STANDING COMMITTEES

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 540**, begs leave to report that it has considered the same and recommends that the bill do pass.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 710, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bill Rader, Sedalia, which was adopted.

Senator Schatz offered Senate Resolution No. 711, regarding Elmer F. Schott, Glencoe, which was adopted.

Senator Schatz offered Senate Resolution No. 712, regarding Alvin and Dorothy Hardecke, Sullivan, which was adopted.

Senator Walsh offered Senate Resolution No. 713, regarding the Honorable Benjamin C. Sutphin, Jennings, which was adopted.

Senator Sater offered Senate Resolution No. 714, regarding the Class 2 State Champions Crane High School Lady Pirates basketball program, which was adopted.

Senator Cunningham offered Senate Resolution No. 715, regarding the death of Susan Elizabeth Elmore Warkentin, Houston, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Richard introduced to the Senate, teachers Kirby Newport, Bryan Whyte and Regina Harris, and thirteen government students, Carthage.

Senator Chappelle-Nadal introduced to the Senate, Kim Jackson and her daughter, Kylee; and Kylee was made an honorary page.

Senator Keaveny introduced to the Senate, teacher Judy King and twenty-six fourth grade students from St. Ambrose School, St. Louis.

On behalf of Senators Wasson, Holsman, Cunningham and himself, Senator Dixon introduced to the Senate, Missouri State University Citizen Scholar Award Recipients, Jordan McGee, Samantha Nichols, Konnor Temple, Brittany Donnellan, Jared Bajkowski and Jared Cates.

Senator Dixon introduced to the Senate, the Physician of the Day, Dr. Norman Knowlton, Springfield.

Senator Dixon introduced to the Senate, D. L. Peppers and Charles Jackson, Springfield; and Missouri State University Student Government Association President Jordan McGee and representatives of Student Government Day, Missouri State University.

Senator Keaveny introduced to the Senate, Executive Director Ali Durhan and representatives, Zehra Durhan, Hilal Aktash and Elturan Gasimzade, Niagara Foundation and Turkish American Society of Missouri, St. Louis.

Senator Holsman introduced to the Senate, Jeff Bajkowski, Lee's Summit.

On behalf of Senator Holsman and himself, Senator Pearce introduced to the Senate, Larry Taft, Kansas City.

The President introduced to the Senate, Jack Klobnak, St. Louis.

On behalf of Senator Pearce, the President introduced to the Senate, Mary Martens, Nellie Ogan, Tanya McBee, Jolene Marten and Karen Walker, Missouri Family and Community Education State Board members.

Senator Walsh introduced to the Senate, teacher Amy Ogle, parents and eighteen seventh grade students from Salem Lutheran Elementary School, Florissant; and Tamia Pierson was made an honorary page.

Senator Kehoe introduced to the Senate, Alex Tharp, Jefferson City.

Senator Silvey introduced to the Senate, Congressman Sam Graves.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-FIFTH DAY—THURSDAY, APRIL 2, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 468-Berry
HB 118-Burlison
HCS for HB 70
HCS for HB 187

HB 506-Zerr
HCS for HB 709
HB 458-Allen
HB 529-Gosen

HCS for HB 592
 HCS for HB 553
 HB 514-Leara
 HB 878-Rhoads
 HCS for HB 613
 HCS for HB 119
 HB 152-Haahr
 HCS for HB 33
 HB 276-Cornejo
 HCS for HB 95
 HB 269-Miller
 HB 758-Rowland
 HB 403-Phillips
 HB 401-Fraker
 HB 108-McCaherty
 HB 133-Rowland
 HB 650-Cornejo
 HB 778-Ruth
 HB 861-Fitzwater (49)
 HB 531-Solon
 HCS for HB 104
 HCS for HB 325
 HB 430-Curtman
 HB 985-Haefner

HCS for HB 722
 HCS for HB 132
 HCS for HB 299
 HB 440-Koenig
 HB 556-Wood
 HCS for HB 635
 HB 502-Kelley
 HB 589-Hough
 HCS for HBs 578, 574, & 584
 HCS for HB 766
 HB 873-Johnson
 HB 34-Walker
 HB 326-Leara
 HB 515-Leara
 HB 629-Leara
 HB 522-Cookson
 HB 686-Hinson
 HB 775-Fitzwater
 HB 859-Dunn
 HB 874-Remole
 HB 341-Dugger
 HB 675-Rowden
 HB 279-Cornejo

THIRD READING OF SENATE BILLS

1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)
2. SCS for SB 56-Munzlinger
(In Fiscal Oversight)
3. SS for SB 201-Dixon
(In Fiscal Oversight)
4. SB 203-Dixon
(In Fiscal Oversight)
5. SCS for SB 322-Dempsey
(In Fiscal Oversight)
6. SB 316-Brown
7. SCS for SB 300-Silvey
8. SCS for SB 146-Pearce
9. SCS for SB 109-Schaefer
10. SCS for SB 93-Emery
11. SS for SCS for SBs 63 & 111-Sater
(In Fiscal Oversight)
12. SCS for SB 210-Schaefer
(In Fiscal Oversight)
13. SCS for SB 230-Romine
(In Fiscal Oversight)
14. SS for SCS for SB 278-Schatz
(In Fiscal Oversight)
15. SCS for SB 473-Schaaf
(In Fiscal Oversight)
16. SCS for SB 345-Wasson

17. SCS for SB 197-Brown
(In Fiscal Oversight)

18. SB 20-Kraus (In Fiscal Oversight)

19. SCS for SB 499-Wasson

SENATE BILLS FOR PERFECTION

SB 445-Romine, with SCS
SB 456-Kehoe, with SCS
SB 244-Schmitt
SB 389-Silvey and Walsh

SB 155-Nasheed
SB 433-Dixon and Dempsey
SB 328-Schupp, with SCS
SB 540-Libla

HOUSE BILLS ON THIRD READING

HCS for HB 42, with SCS (Pearce)
(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)
SB 59-Dixon
SB 80-Dixon, with SCS
SB 142-Romine, with SCS & SS#2 for SCS
(pending)
SB 159-Parson
SB 167-Schaaf, with SCS
SB 190-Curls, with SCS
SB 199-Dixon, et al, with SCS
SB 227-Emery, with SS (pending)
SB 233-Kehoe, with SCS & SA 2 (pending)
SB 302-Riddle, with SCS (pending)

SBs 331 & 21-Libla, with SCS & SS for
SCS (pending)
SB 358-Kehoe
SB 372-Keaveny, with SCS (pending)
SB 386-Keaveny, with SS & SA 1 (pending)
SB 424-Pearce, with SA 1 (pending)
SB 452-Schmitt, et al, with SA 1 & point
of order (pending)
SB 475-Dempsey
SB 524-Cunningham
SJR 7-Richard and Wallingford

HOUSE BILLS ON THIRD READING

SS for HB 384-Flanigan (Dixon)
(In Fiscal Oversight)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 24-Sater, with HCS,
as amended

RESOLUTIONS

Reported from Committee

SCR 13-Curls
SCR 14-Schaefer
SCR 15-Riddle
SCR 17-Hegeman
SCR 20-Emery
SCRs 21, 19 & 23-Dixon, et al, with SCS
SCR 22-Schaefer
SCR 25-Munzlinger

SCR 26-Dempsey, with SCS
SCR 29-Onder
SCR 30-Kehoe, with SCS
SCR 31-Cunningham
SCR 32-Hegeman
HCR 15-Roden (Wieland)
HCR 21-Miller (Kehoe)

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-FIFTH DAY—THURSDAY, APRIL 2, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord is good to all, and his compassion is over all that he has made.” (Psalm 145:9)

Merciful God, You are compassionate to those who seek You. We clearly have reasons to rejoice and call upon You. So, the remainder of this week, is a prime time for us to know and receive Your gift of love for each of us, and the gift of life beyond life You have in store for us. Grant us an open heart to accept the promise of new life and the meaning touch our hearts so we may celebrate living without fear and trusting always in You, Our God. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from the Jefferson City News Tribune and WGEM-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wieland offered Senate Resolution No. 716, regarding Ervin Wilbert Harris, Eureka, which was adopted.

Senator Riddle offered Senate Resolution No. 717, regarding the One Hundred Fifth Birthday of Opal Kyger, Columbia, which was adopted.

Senator Riddle offered Senate Resolution No. 718, regarding the Sixtieth Wedding Anniversary of Joseph and Rosalie Pisciotta, Kansas City, which was adopted.

Senator Riddle offered Senate Resolution No. 719, regarding the Sixtieth Wedding Anniversary of Richard and Ida Wheelan, Paris, which was adopted.

Senator Kehoe offered Senate Resolution No. 720, regarding Ann Wiberg, which was adopted.

Senator Kehoe offered Senate Resolution No. 721, regarding Melody Patterson, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: As Chairman of the Senate Committee on Governmental Accountability and Fiscal Oversight, I am hereby returning **SCS** for **SB 473** as it was inadvertently referred to this committee.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS** for **SB 322**; **SS** for **SCS** for **SBs 63** and **111**; and **SCS** for **HCS** for **HB 42** begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Pearce assumed the Chair.

THIRD READING OF SENATE BILLS

SCS for **SB 322**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 322**

An Act to repeal section 208.010, RSMo, and to enact in lieu thereof one new section relating to public assistance.

Was taken up by Senator Dempsey.

On motion of Senator Dempsey, **SCS** for **SB 322**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kehoe assumed the Chair.

SB 316, introduced by Senator Brown, entitled:

An Act to repeal section 376.1235, RSMo, and to enact in lieu thereof one new section relating to insurance coverage for occupational therapy services.

Was taken up.

On motion of Senator Brown, **SB 316** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS** for **SS** for **SCS** for **SB 12**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may

become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Kehoe assumed the Chair.

SCS for **SB 300**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 300

An Act to repeal sections 86.1110, 86.1270, 86.1500, and 86.1630, RSMo, and to enact in lieu thereof four new sections relating to retirement benefits for employees of the police department of Kansas City.

Was taken up by Senator Silvey.

On motion of Senator Silvey, **SCS** for **SB 300** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 146**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 146

An Act to repeal sections 345.015, 345.020, 345.022, 345.025, 345.040, 345.050, 345.051, 345.065, and 345.080, RSMo, and to enact in lieu thereof nine new sections relating to professions regulated under the division of professional registration, with existing penalty provisions.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **SCS** for **SB 146** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed

Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for SB 109, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 109

An Act to repeal section 105.716, RSMo, and to enact in lieu thereof one new section relating to the state legal expense fund.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **SCS for SB 109** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for SB 93, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 93

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to free speech at public institutions of higher education.

Was taken up by Senator Emery.

On motion of Senator Emery, **SCS** for **SB 93** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Emery, title to the bill was agreed to.

Senator Emery moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SBs 63** and **111**, introduced by Senator Sater, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 63 and 111

An Act to repeal section 195.015 as enacted by senate bills nos. 215 & 58, eighty-fifth general assembly, first regular session, section 195.050 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 195.050 as enacted by senate bills nos. 215 & 58, eighty-fifth general assembly, first regular session, RSMo, and to enact in lieu thereof fourteen new sections relating to a prescription drug monitoring program, with penalty provisions.

Was taken up.

On motion of Senator Sater, **SS** for **SCS** for **SBs 63** and **111** was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Keaveny	Kehoe
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LeVota	Libla	Nasheed	Parson	Pearce	Richard	Riddle	Romine
Sater	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson—24

NAYS—Senators

Brown	Emery	Hegeman	Kraus	Munzlinger	Onder	Schaaf	Schaefer
Schmitt	Wieland—10						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 473**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 473

An Act to repeal sections 162.471, 162.481, and 162.491, RSMo, and sections 162.481 and 162.491 as truly agreed to and finally passed in senate substitute for senate committee substitute for house committee substitute no. 2 for house bill no. 63, ninety-eighth general assembly, first regular session, and to enact in lieu thereof four new sections relating to school directors for urban school districts, with an emergency clause.

Was taken up by Senator Schaaf.

On motion of Senator Schaaf, **SCS** for **SB 473** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman	Keaveny
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators

Chappelle-Nadal	Emery—2
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman	Keaveny
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators

Chappelle-Nadal Emery—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for SB 345, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 345

An Act to repeal sections 361.707, 361.715, 364.030, 364.105, 365.030, 367.140, 407.640, and 408.500, RSMo, and to enact in lieu thereof eight new sections relating to licensing fees paid to the director of the division of finance, with an existing penalty provision.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **SCS for SB 345** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 499**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 499**

An Act to repeal section 327.272, RSMo, and to enact in lieu thereof one new section relating to professional land surveyors.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **SCS** for **SB 499** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SJR 12**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 365**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 334**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 401**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 339**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 87**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following report:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **SB 53**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 55**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 500**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 469**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 400**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 416**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 457**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 517**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 200**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 91**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 112**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 321**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 304**, begs leave to report that it has considered the same and recommends that the Senate

Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 141**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 352**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 150**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 377**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 305**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 369**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 435**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 232**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

**SENATE HEARING SCHEDULE
98th GENERAL ASSEMBLY
FIRST REGULAR SESSION
APRIL 2, 2015**

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.			Transportation, Infrastructure and Public Safety SCR 1 (Libla)	
8:30 a.m.		Appropriations SCR 2 (Schaefer) Seniors, Families and Children SCR 1 (Sater)	Gubernatorial Appointments SL (Dempsey) Appropriations SCR 2 (Schaefer)	Ways and Means SCR 1 (Kraus)
9:00 a.m.		Rules, Joint Rules, Resolutions and Ethics SL (Richard)		Veterans' Affairs and Health SL (Brown)
12:00		Small Business, Insurance and Industry SCR 1 (Parson) Judiciary and Civil and Criminal Jurisprudence SL (Dixon)	Jobs, Economic Development and Local Government SL (Schmitt) Agriculture, Food Production and Outdoor Resources SCR 1 (Munzlinger)	
12:30 p.m.	Appropriations SCR 2 (Schaefer)			
2:00 p.m.		Commerce, Consumer Protection, Energy and the Environment SL (Kehoe) General Laws and Pensions SCR 1 (Schaaf)	Progress and Development SCR 2 (Keaveny) Governmental Accountability and Fiscal Oversight SCR 1 (Cunningham) Education SL (Pearce)	
2:30 p.m.	Financial and Governmental Organizations and Elections SL (Wasson)			

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 468—Jobs, Economic Development and Local Government.

HB 118—Small Business, Insurance and Industry.

HCS for HB 70—Small Business, Insurance and Industry.

HCS for HB 187—Education.

HB 506—Jobs, Economic Development and Local Government.

HCS for HB 709—Small Business, Insurance and Industry.

HB 458—Education.

HB 529—Small Business, Insurance and Industry.

HCS for HB 592—Small Business, Insurance and Industry.

HCS for HB 553—Transportation, Infrastructure and Public Safety.

HB 514—Jobs, Economic Development and Local Government.

HB 878—Transportation, Infrastructure and Public Safety.

HCS for HB 613—Jobs, Economic Development and Local Government.

HCS for HB 119—Commerce, Consumer Protection, Energy and the Environment.

HB 152—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 33—Small Business, Insurance and Industry.

HB 276—Small Business, Insurance and Industry.

HCS for HB 95—Judiciary and Civil and Criminal Jurisprudence.

HB 269—Transportation, Infrastructure and Public Safety.

HB 758—Jobs, Economic Development and Local Government.

HB 403—General Laws and Pensions.

HB 401—Jobs, Economic Development and Local Government.

HB 108—Judiciary and Civil and Criminal Jurisprudence.

HB 133—Transportation, Infrastructure and Public Safety.

HB 650—Transportation, Infrastructure and Public Safety.

HB 778—General Laws and Pensions.

HB 861—General Laws and Pensions.

HB 531—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 104—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 325—Jobs, Economic Development and Local Government.

HB 430—Ways and Means.

HB 985—Veterans' Affairs and Health.

HCS for HB 722—General Laws and Pensions.

HCS for HB 132—Ways and Means.

HCS for HB 299—Ways and Means.

HB 440—Ways and Means.

HB 556—Seniors, Families and Children.

HCS for HB 635—Transportation, Infrastructure and Public Safety.

HB 502—Ways and Means.

HB 589—Veterans' Affairs and Health.

HCS for HBs 578, 574, and 584—Education.

HCS for HB 766—Small Business, Insurance and Industry.

HB 873—Transportation, Infrastructure and Public Safety.

HB 34—Transportation, Infrastructure and Public Safety.

HB 326—General Laws and Pensions.

HB 515—General Laws and Pensions.

HB 629—General Laws and Pensions.

HB 522—Transportation, Infrastructure and Public Safety.

HB 686—Transportation, Infrastructure and Public Safety.

HB 775—Transportation, Infrastructure and Public Safety.

HB 859—General Laws and Pensions.

HB 874—General Laws and Pensions.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HJR 34**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27(a) of article IV of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to the state budget.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 26**.

HOUSE CONCURRENT RESOLUTION NO. 26

WHEREAS, each year Americans pause during the month of March to pay special tribute to the contributions that women have made to our national life, and outstanding among the myriad roles that women have assumed over the course of this country's history have been those undertaken as part of the nation's armed forces; and

WHEREAS, long before they gained regular admission to the military, thousands of women assisted the uniformed branches in a variety of ways; they worked as nurses, water bearers, laundresses, and cooks, sometimes served as spies and saboteurs, and on occasion even took up arms; and

WHEREAS, in 1901, the United States Army broke new ground by creating an actual nurses corps, and the navy followed in 1908; the ranks of these units swelled during World War I, when nearly 23,000 women served as nurses within the American military; the U.S. Navy and Marine Corps enlisted nearly 13,000 additional women as yeomen and reservists and assigned them to duty stateside, to free their male counterparts for combat at sea and abroad; and

WHEREAS, the participation of women in the military surged during World War II, with more than 400,000 filling posts at home and overseas; to more fully utilize their abilities, the army established the Women's Army Auxiliary Corps, later known as the Women's Army Corps; the army also created the WASP (Women Airforce Service Pilots), while the navy organized the WAVES (Women Accepted for Volunteer Emergency Service), the Marine Corps established the Marine Corps Women's Reserve, and the Coast Guard created a reserve unit known as the SPARs; in spite of widespread misgivings about their suitability for the work, women proved themselves in a wide array of assignments, and in 1948 an Act of Congress granted them permanent status in the regular and reserve forces; and

WHEREAS, barriers to the participation of women in the military continued to fall; legal provisions placing a two percent cap on the number of women serving and a ceiling on the highest grade a woman could achieve were repealed in 1967; by 1972, the various Reserve Officers' Training Corps programs were opened to women, and in 1976 women were admitted to the service academies; they are now eligible to enter more than 90 percent of all career fields in the armed forces; and

WHEREAS, women have continued to deploy in times of conflict: some 1,000 served in theater during the Korean War and 7,500 during the Vietnam War; hundreds saw duty in operations in Central America in the 1980s, and in 1991, 41,000 women served in theater in Operation Desert Storm; and

WHEREAS, today, approximately 344,500 women are serving in the United States military; they constitute about 14 percent of active duty personnel and about 10 percent of the American forces in Iraq and Afghanistan; and

WHEREAS, the operations focused on those two countries have placed enormous demands on all who have taken part; like their male compatriots, many women have served multiple tours, and large numbers have been injured, many grievously; as of mid-January 2011, 136 women had given their lives in those two wars; and

WHEREAS, the increased involvement of women in the military is reflected by the number of women veterans, which now totals 1.8 million; Missouri is home to more than 45,340 women veterans; and

WHEREAS, Missourians have always honored the selflessness and sacrifice of those who perform military service, and these women are indeed worthy of that recognition; it is also fitting that needs they have incurred in connection with that service be acknowledged and alleviated, whether they concern physical or psychological wounds or the challenges of caring for their families or reintegrating into civilian life; and

WHEREAS, the women who have served in the United States armed forces have demonstrated tenacity, courage, and professionalism, and they are deserving of their fellow citizens' deepest gratitude and unfailing support;

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby designate the month of March each year from 2015 through 2025 as Women Veterans Month in tribute to the immeasurable contributions that women in the military have made to this nation.

BE IT FURTHER RESOLVED that the General Assembly encourages and urges all citizens of this state to reflect upon the service and sacrifices of women veterans.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 517** and **754**, entitled:

An Act to repeal sections 143.191, 143.801, and 144.020, RSMo, and to enact in lieu thereof four new sections relating taxation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

BILLS DELIVERED TO THE GOVERNOR

HCS for **SS** for **SCS** for **SB 12**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Jeremy Anderson, Denver, Colorado.

Senator Kehoe introduced to the Senate, Darian “DJ” LaRue, Jefferson City; and DJ was made an honorary page.

Senator Onder introduced to the Senate, his wife, Allison and their children, Peter, Joseph, Christine, Bobby, Elizabeth, and Michael; and Peter, Joseph and Christine were made honorary pages.

Senator Keaveny introduced to the Senate, Bill Mermis, and forty-eight fourth grade students from Forsyth School, St. Louis.

Senator Schmitt introduced to the Senate, teacher Debbie Legters, and fourth grade students from Twin Oaks, Ballwin.

Senator Holsman introduced to the Senate, Deloris Fortune, Kansas City.

Senator Dixon introduced to the Senate, representatives of Great River Honor Flight, Hannibal; Central Missouri Honor Flight, Columbia; Franklin County Honor Flight, Union; Walt and Becky Cameron, Honor Flight of the Ozarks, Springfield; and Retired Air Force Lt. Colonel Barry Cheyne, Great River Honor Flight, Hannibal.

Senator Chappelle-Nadal introduced to the Senate, Tammy Smith and her grandson, Erick, Florissant; and Erick was made an honorary page.

On behalf of Senator Kehoe, the President introduced to the Senate, Travis Rackers and his son, Ethan; and Ethan was made an honorary page.

Senator Richard introduced to the Senate, students from Cecil Floyd Elementary School, Joplin.

Senator Dempsey introduced to the Senate, his daughter, Abby, St. Charles.

On motion of Senator Richard, the Senate adjourned until Monday, April 6, 2015 at 12:00 p.m.

SENATE CALENDAR

 FORTY-SIXTH DAY—MONDAY, APRIL 6, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 341-Dugger
 HB 675-Rowden
 HB 279-Cornejo

HCS for HJR 34
 HCS for HBs 517 & 754

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce
 (In Fiscal Oversight)

SCS for SB 56-Munzlinger
 (In Fiscal Oversight)

SS for SB 201-Dixon (In Fiscal Oversight)
 SB 203-Dixon (In Fiscal Oversight)

SCS for SB 210-Schaefer (In Fiscal Oversight)

SCS for SB 230-Romine (In Fiscal Oversight)

SS for SCS for SB 278-Schatz
 (In Fiscal Oversight)

SCS for SB 197-Brown (In Fiscal Oversight)
 SB 20-Kraus (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 445-Romine, with SCS
2. SB 456-Kehoe, with SCS
3. SB 244-Schmitt
4. SB 389-Silvey and Walsh
5. SB 155-Nasheed
6. SB 433-Dixon and Dempsey
7. SB 328-Schupp, with SCS
8. SB 540-Libla
9. SJR 12-Onder, with SCS
10. SB 365-Schmitt
11. SB 334-Nasheed
12. SB 401-Schmitt and Richard
13. SB 339-Munzlinger

14. SB 87-Emery, with SCS
15. SB 53-Schaaf
16. SB 55-Munzlinger
17. SB 500-Riddle
18. SB 469-Munzlinger
19. SB 400-Onder
20. SB 416-Wasson
21. SB 457-Sater
22. SB 517-Wasson, with SCS
23. SB 200-Dixon
24. SB 91-Dixon, with SCS
25. SB 112-Dixon, with SCS
26. SB 321-Hegeman, with SCS

27. SB 304-Keaveny, with SCS
28. SB 141-Parson
29. SB 352-Schaefer
30. SB 377-Schatz

31. SB 305-Onder
32. SB 369-Pearce
33. SB 435-Walsh
34. SB 232-Kehoe, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 42, with SCS (Pearce)

HB 150-Fitzpatrick (Kehoe)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)
SB 59-Dixon
SB 80-Dixon, with SCS
SB 142-Romine, with SCS & SS#2 for SCS
(pending)
SB 159-Parson
SB 167-Schaaf, with SCS
SB 190-Curls, with SCS
SB 199-Dixon, et al, with SCS
SB 227-Emery, with SS (pending)
SB 233-Kehoe, with SCS & SA 2 (pending)
SB 302-Riddle, with SCS (pending)

SBs 331 & 21-Libla, with SCS & SS for
SCS (pending)
SB 358-Kehoe
SB 372-Keaveny, with SCS (pending)
SB 386-Keaveny, with SS & SA 1 (pending)
SB 424-Pearce, with SA 1 (pending)
SB 452-Schmitt, et al, with SA 1 & point
of order (pending)
SB 475-Dempsey
SB 524-Cunningham
SJR 7-Richard and Wallingford

HOUSE BILLS ON THIRD READING

SS for HB 384-Flanigan (Dixon)
(In Fiscal Oversight)

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 24-Sater, with HCS,
as amended

RESOLUTIONS

Reported from Committee

SCR 13-Curls	SCR 26-Dempsey, with SCS
SCR 14-Schaefer	SCR 29-Onder
SCR 15-Riddle	SCR 30-Kehoe, with SCS
SCR 17-Hegeman	SCR 31-Cunningham
SCR 20-Emery	SCR 32-Hegeman
SCRs 21, 19 & 23-Dixon, et al, with SCS	HCR 15-Roden (Wieland)
SCR 22-Schaefer	HCR 21-Miller (Kehoe)
SCR 25-Munzlinger	

To be Referred

HCR 26-Shull

✓

Journal of the Senate

FIRST REGULAR SESSION

FORTY-SIXTH DAY—MONDAY, APRIL 6, 2015

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

RESOLUTIONS

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 722, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. William Crabtree, St. Joseph, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 723, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Herbert Nicholson, Maryville, which was adopted.

On behalf of Senator Walsh, Senator Kehoe offered Senate Resolution No. 724, regarding Arthur Richard Casmaer, Florissant, which was adopted.

Senator Kehoe offered Senate Resolution No. 725, regarding Aiden Rottmann, Versailles, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 769**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to direct health care services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 478**, entitled:

An Act to repeal section 169.070, RSMo, and to enact in lieu thereof one new section relating to school employee retirement, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 271**, entitled:

An Act to repeal sections 29.200 and 29.235, RSMo, and to enact in lieu thereof two new sections relating to authority of the state auditor.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 499**, entitled:

An Act to repeal section 171.021, RSMo, and to enact in lieu thereof one new section relating to reciting the pledge of allegiance in schools.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 587**, entitled:

An Act to repeal sections 361.707, 361.715, 364.030, 364.105, 365.030, 367.140, 407.640, and 408.500, RSMo, and to enact in lieu thereof eight new sections relating to licensing fees paid to the director of the division of finance.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 18** relating to the designation of July 1, 2015, as "Lucille Bluford" Day.

HOUSE CONCURRENT RESOLUTION NO. 18

WHEREAS, the Lucile H. Bluford Branch of the Kansas City Public Library stands as a tribute to one of the city's most accomplished and beloved individuals; and

WHEREAS, from Bluford's early days as a student at Lincoln High School and the University of Kansas to her long and distinguished career at *The Kansas City Call*, the black newspaper founded in 1919, Bluford used her journalistic talents to champion civil rights and

strengthen the African-American community; and

WHEREAS, in 1939, Bluford applied to the University of Missouri's graduate program in journalism. Bluford had a successful career and didn't need further training, but she saw an opportunity to challenge segregation in public universities; and

WHEREAS, though the University of Missouri journalism program accepted Bluford based on mailed transcripts, when she showed up to enroll officials saw she was black and denied her entrance because state law restricted black students to Lincoln University in Jefferson City, a historically black university; and

WHEREAS, with the support of the NAACP, Bluford sued the University of Missouri. In 1940 her case reached the Missouri Supreme Court, which ruled that the University had to admit her because no equal program existed at Lincoln University; and

WHEREAS, in response, the University of Missouri School of Journalism closed its graduate program, claiming it could not operate properly because a majority of its professors and students were serving in World War II; and

WHEREAS, in 1984 Bluford received the University of Missouri esteemed Honor Medal for Distinguished Service in Journalism from the School of Journalism and in 1989 an honorary doctorate in humanities; and

WHEREAS, after becoming editor in 1955 and later serving as part-owner and publisher, Bluford made *The Kansas City Call* one of the largest and most important black newspapers in the nation; and

WHEREAS, Bluford took her role as a leader in the African-American community seriously, even once scolding then-presidential candidate Jesse Jackson before a crowd of 7,000 people for visiting Kansas City without first notifying the black media; and

WHEREAS, over the course of five decades, Bluford and the newspaper she led took a decisive stand on hundreds of important issues. Bluford's editorials supported the boycott of local department store lunchrooms that prohibited black patrons, mourned the assassination of Dr. Martin Luther King, Jr. and the subsequent civil unrest, and supported the election of Kansas City's first African-American congressman, Alan Wheat, and first African-American mayor, Emanuel Cleaver II; and

WHEREAS, through her bold stands, her determination to expose racism, and her clear and forceful journalistic writing, Lucile Bluford helped change the way African-Americans are treated, especially in the area of higher education:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby recognize July 1, 2015, as "Lucile Bluford Day" in Missouri and encourage the citizens of this state to observe the day with appropriate activities and events in honor of a brave and persistent civil rights activist.

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Schaefer, Chairman of the Committee on Appropriations, Senator Kehoe submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 1**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 3**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 4**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 5**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 6**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 7**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 8**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 9**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 10**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 11**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 12**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 13**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On motion of Senator Kehoe, the Senate adjourned until Tuesday, April 7, 2015 at 4:00 p.m.

SENATE CALENDAR

FORTY-SEVENTH DAY—TUESDAY, APRIL 7, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 341-Dugger	HCS for HB 769
HB 675-Rowden	HCS for HB 478
HB 279-Cornejo	HB 271-Hoskins
HCS for HJR 34	HCS for HB 499
HCS for HBs 517 & 754	HCS for HB 587

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce (In Fiscal Oversight)	SCS for SB 210-Schaefer (In Fiscal Oversight)
SCS for SB 56-Munzlinger (In Fiscal Oversight)	SCS for SB 230-Romine (In Fiscal Oversight)
SS for SB 201-Dixon (In Fiscal Oversight)	SS for SCS for SB 278-Schatz (In Fiscal Oversight)
SB 203-Dixon (In Fiscal Oversight)	SCS for SB 197-Brown (In Fiscal Oversight)
	SB 20-Kraus (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 445-Romine, with SCS	13. SB 339-Munzlinger
2. SB 456-Kehoe, with SCS	14. SB 87-Emery, with SCS
3. SB 244-Schmitt	15. SB 53-Schaaf
4. SB 389-Silvey and Walsh	16. SB 55-Munzlinger
5. SB 155-Nasheed	17. SB 500-Riddle
6. SB 433-Dixon and Dempsey	18. SB 469-Munzlinger
7. SB 328-Schupp, with SCS	19. SB 400-Onder
8. SB 540-Libla	20. SB 416-Wasson
9. SJR 12-Onder, with SCS	21. SB 457-Sater
10. SB 365-Schmitt	22. SB 517-Wasson, with SCS
11. SB 334-Nasheed	23. SB 200-Dixon
12. SB 401-Schmitt and Richard	24. SB 91-Dixon, with SCS

25. SB 112-Dixon, with SCS
 26. SB 321-Hegeman, with SCS
 27. SB 304-Keaveny, with SCS
 28. SB 141-Parson
 29. SB 352-Schaefer

30. SB 377-Schatz
 31. SB 305-Onder
 32. SB 369-Pearce
 33. SB 435-Walsh
 34. SB 232-Kehoe, with SCS

HOUSE BILLS ON THIRD READING

1. HCS for HB 42, with SCS (Pearce)
 2. HB 150-Fitzpatrick (Kehoe)
 3. HCS for HB 1, with SCS (Schaefer)
 4. HCS for HB 2, with SCS (Schaefer)
 5. HCS for HB 3, with SCS (Schaefer)
 6. HCS for HB 4, with SCS (Schaefer)
 7. HCS for HB 5, with SCS (Schaefer)
 8. HCS for HB 6, with SCS (Schaefer)

9. HCS for HB 7, with SCS (Schaefer)
 10. HCS for HB 8, with SCS (Schaefer)
 11. HCS for HB 9, with SCS (Schaefer)
 12. HCS for HB 10, with SCS (Schaefer)
 13. HCS for HB 11, with SCS (Schaefer)
 14. HCS for HB 12, with SCS (Schaefer)
 15. HCS for HB 13, with SCS (Schaefer)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)
 SB 59-Dixon
 SB 80-Dixon, with SCS
 SB 142-Romine, with SCS & SS#2 for SCS
 (pending)
 SB 159-Parson
 SB 167-Schaaf, with SCS
 SB 190-Curls, with SCS
 SB 199-Dixon, et al, with SCS
 SB 227-Emery, with SS (pending)
 SB 233-Kehoe, with SCS & SA 2 (pending)
 SB 302-Riddle, with SCS (pending)

SBs 331 & 21-Libla, with SCS & SS for
 SCS (pending)
 SB 358-Kehoe
 SB 372-Keaveny, with SCS (pending)
 SB 386-Keaveny, with SS & SA 1 (pending)
 SB 424-Pearce, with SA 1 (pending)
 SB 452-Schmitt, et al, with SA 1 & point
 of order (pending)
 SB 475-Dempsey
 SB 524-Cunningham
 SJR 7-Richard and Wallingford

HOUSE BILLS ON THIRD READING

SS for HB 384-Flanigan (Dixon)
 (In Fiscal Oversight)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 24-Sater, with HCS,
as amended

RESOLUTIONS

Reported from Committee

SCR 13-Curls	SCR 26-Dempsey, with SCS
SCR 14-Schaefer	SCR 29-Onder
SCR 15-Riddle	SCR 30-Kehoe, with SCS
SCR 17-Hegeman	SCR 31-Cunningham
SCR 20-Emery	SCR 32-Hegeman
SCRs 21, 19 & 23-Dixon, et al, with SCS	HCR 15-Roden (Wieland)
SCR 22-Schaefer	HCR 21-Miller (Kehoe)
SCR 25-Munzlinger	

To be Referred

HCR 18-McCann	HCR 26-Shull
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Journal of the Senate

FIRST REGULAR SESSION

FORTY-SEVENTH DAY—TUESDAY, APRIL 7, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“For the Lord is righteous; he loves righteous deeds; the upright shall behold his face.” (Psalm 11:7)

We seek to walk in righteousness, so lead us along the paths that matter most to You. Help us make our deeds worthy to be called righteous and to show love for one another. Help us to always submit to the path of gentleness in the strength of Your righteousness. And, let your strength assist us in times of distress, pressures and expectations on us as we seek to do the good work required of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Thursday, April 2, 2015 and Monday, April 6, 2015 were read and approved.

Senator Richard announced photographers from MissouriNet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 726, regarding the One Hundredth Birthday of Audrey Cleo Jeffries, Jefferson City, which was adopted.

Senator Schaaf offered Senate Resolution No. 727, regarding the One Hundred Twenty-fifth Anniversary of the St. Joseph Public Library, which was adopted.

Senator Schaaf offered Senate Resolution No. 728, regarding the Fiftieth Wedding Anniversary of David and Sharon Hunt, Saint Joseph, which was adopted.

Senator LeVota offered Senate Resolution No. 729, regarding the death of Mamie “Mae” Cariddi, Lee’s Summit, which was adopted.

Senator Kehoe offered Senate Resolution No. 730, regarding Jill Hansen, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 731, regarding Jefferson Bank, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 732, regarding Stephanie Buker, Jefferson City, which was adopted.

Senator Schaaf offered Senate Resolution No. 733, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Larry T. Todd, St. Joseph, which was adopted.

Senators Schmitt and Sifton offered Senate Resolution No. 734, regarding Jim Lembke, Saint Louis County, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS No. 2** for **SCS** for **SB 11**.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended and House Amendment No. 4.

HOUSE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 11, Page 18, Section 105.499, Line 4, by inserting after the word “**treasurer**,” the words “**state auditor**,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2**

Amend House Amendment No. 2 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 11, Page 1, Line 29, by deleting the word “**fifty**” and inserting in lieu thereof the word “**twenty-five**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 11, Page 6, Section 105.470, Line 91, by inserting immediately after said Line the following:

“(h) A plaque or other form of recognition similar to a plaque given to a public official or a staff member or employee of a public official to signify the honorary recognition of a service or other notable accomplishment;

(i) Any amount paid or incurred for entrance fees, lodging, food and beverage, entertainment, travel, and other expenses for a public official’s or a staff member or employee of a public official’s attendance at an event, committee, meeting, conference, or seminar within Missouri, including meetings of state, regional, or national organizations or his or her committees concerned with legislative or governmental activities if the official, staff member, or employee participates in the event as a speaker or panel participant by presenting information relating to the official’s, staff member’s, or employee’s legislative or official duties by performing a ceremonial function appropriate to the public official’s, staff member’s, or employee’s position;

(j) Any food, beverage, or other item that is valued at an amount less than five dollars;”; and

Further amend said substitute, Page 15, Section 105.473, Line 74, by inserting immediately after the word “senate” in the second instance the following:

“, which may or may not include caucus, majority party, or minority party staff and employees under the direct supervision of a caucus, majority party, or minority party

Further amend said substitute, Pages 16-17, said section, Lines 98-111, by deleting said lines and inserting in lieu thereof the following:

“shall be reported by one of such lobbyists. [No expenditure shall be made on behalf of a state senator or state representative, or such public official’s staff, employees, spouse, or dependent children for travel or lodging outside the state of Missouri unless such travel or lodging was approved prior to the date of the expenditure by the administration and accounts committee of the house or the administration committee of the senate.]

5. No lobbyist principal, lobbyist, or person acting on behalf of a lobbyist principal or lobbyist shall knowingly or willfully make any single expenditure over the amount of fifty dollars to any public official or public official’s staff, employee, spouse, or dependant children.

6. Any lobbyist principal shall provide in a timely fashion whatever”; and

Further amend said substitute, said section, by renumbering the subsections accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 11 Page 8, Line 39, by deleting the word “**biannually**” and inserting in lieu thereof the word “**semiannually**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 11, Page 2, Section 105.450, Line 16, by inserting immediately after the word “proprietorship” the following:

“, **limited liability company**”; and

Further amend said substitute, page, and section, Lines 25 and 26, by deleting said lines and inserting in lieu thereof the following:

“percent of the outstanding shares of any class of stock or partnership units; [or]

(c) **Any limited liability company; or**

(d) **Any trust in which the person is a trustee or settlor or in which the**”; and

Further amend said substitute and section, Page 3, Lines 56-65, by deleting said lines and inserting in lieu thereof the following:

“(8) **“Political subdivision” shall include any political subdivision of the**”; and

Further amend said substitute, page, and section, Line 67 by deleting all of said line and inserting in lieu thereof the following:

“(9) **“Public document”, a state tax return or a document or other**”; and

Further amend said substitute, page, and section, Line 70, by deleting all of said line and inserting in lieu thereof the following:

“(10) **“Substantial interest”, ownership by the individual, the**”; and

Further amend said substitute, page, and section, Line 78, by deleting all of said line and inserting in lieu thereof the following:

“(11) **“Substantial personal or private interest in any measure, bill,”**; and

Further amend said substitute, Page 4, Section 105.453, Lines 6-14, by deleting said lines and inserting in lieu thereof the following:

“2. No member of the general assembly or the governor, lieutenant governor, attorney general, secretary of state, state treasurer, state auditor, or any person serving as director or commissioner of any executive agency of the state shall act or serve as lobbyist, register as a lobbyist, or solicit clients to represent as a lobbyist until the expiration of one year after the conclusion of such individual’s vacancy from such office.

3. For the purposes of this section, the following terms shall mean:

(1) **“Candidate” or “candidate committee”, the same meaning as such term is defined in section 130.011;**

(2) **“Lobbyist”, the same meaning as such term is defined in section 105.470;**

(3) **“Paid political consultant”, a person who is employed by a person, business, corporation, or organization and in the employee’s regular course of employment, the employee receives compensation to promote the election of a certain candidate or the interest of an organization or committee, as defined in section 130.011, which shall include, but not be limited to, planning campaign**

strategies; coordinating campaign staff; organizing meetings and public events to publicize the candidate or cause; public opinion polling; providing research on issues or opposition background; coordinating, producing, or purchasing print or broadcast media; direct mail production; phone solicitation; fund raising; and any other political activities.”; and

Further amend said substitute, Page 18, Section 105.473, Line 156, by inserting immediately after said line the following:

“[105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall be on a form prescribed by the commission and shall be signed and verified by a written declaration that it is made under penalties of perjury; provided, however, the form shall not seek information which is not specifically required by sections 105.483 to 105.492.

2. Each person required to file a financial interest statement pursuant to subdivisions (1) to (12) of section 105.483 shall file the following information for himself, his spouse and dependent children at any time during the period covered by the statement, whether singularly or collectively; provided, however, that said person, if he does not know and his spouse will not divulge any information required to be reported by this section concerning the financial interest of his spouse, shall state on his financial interest statement that he has disclosed that information known to him and that his spouse has refused or failed to provide other information upon his bona fide request, and such statement shall be deemed to satisfy the requirements of this section for such financial interest of his spouse; and provided further if the spouse of any person required to file a financial interest statement is also required by section 105.483 to file a financial interest statement, the financial interest statement filed by each need not disclose the financial interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate financial interest statement and the name under which the statement was filed:

(1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;

(2) The name and address of each sole proprietorship which he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partners’ units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

(3) The name and address of any other source not reported pursuant to subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which such person received one thousand dollars or more of income during the year covered by the statement, including, but not limited to, any income otherwise required to be reported on any tax return such person is required by law to file; except that only the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system need be reported pursuant to this subdivision;

(4) The location by county, the subclassification for property tax assessment purposes, the approximate size and a description of the major improvements and use for each parcel of real property in the state, other than the individual's personal residence, having a fair market value of ten thousand dollars or more in which such person held a vested interest including a leasehold for a term of ten years or longer, and, if the property was transferred during the year covered by the statement, the name and address of the persons furnishing or receiving consideration for such transfer;

(5) The name and address of each entity in which such person owned stock, bonds or other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a corporation listed on a regulated stock exchange, only the name of the corporation need be listed; and provided that any member of any board or commission of the state or any political subdivision who does not receive any compensation for his services to the state or political subdivision other than reimbursement for his actual expenses or a per diem allowance as prescribed by law for each day of such service need not report interests in publicly traded corporations or limited partnerships which are listed on a regulated stock exchange or automated quotation system pursuant to this subdivision; and provided further that the provisions of this subdivision shall not require reporting of any interest in any qualified plan or annuity pursuant to the Employees' Retirement Income Security Act;

(6) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver;

(7) The name and address of each not-for-profit corporation and each association, organization, or union, whether incorporated or not, except not-for-profit corporations formed to provide church services, fraternal organizations or service clubs from which the officer or employee draws no remuneration, in which such person was an officer, director, employee or trustee at any time during the year covered by the statement, and for each such organization, a general description of the nature and purpose of the organization;

(8) The name and address of each source from which such person received a gift or gifts, or honorarium or honoraria in excess of two hundred dollars in value per source during the year covered by the statement other than gifts from persons within the third degree of consanguinity or affinity of the person filing the financial interest statement. For the purposes of this section, a "gift" shall not be construed to mean political contributions otherwise required to be reported by law or hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or informational material. For the purposes of this section, a "gift" shall include gifts to or by creditors of the individual for the purpose of cancelling, reducing or otherwise forgiving the indebtedness of the individual to that creditor;

(9) The lodging and travel expenses provided by any third person for expenses incurred outside the state of Missouri whether by gift or in relation to the duties of office of such official, except that such statement shall not include travel or lodging expenses:

(a) Paid in the ordinary course of business for businesses described in subdivisions (1), (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

(b) For which the official may be reimbursed as provided by law; or

(c) Paid by persons related by the third degree of consanguinity or affinity to the person filing the statement; or

(d) Expenses which are reported by the campaign committee or candidate committee of the person filing the statement pursuant to the provisions of chapter 130; or

(e) Paid for purely personal purposes which are not related to the person's official duties by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of a member, of any association or entity which employs a lobbyist. The statement shall include the name and address of such person who paid the expenses, the date such expenses were incurred, the amount incurred, the location of the travel and lodging, and the nature of the services rendered or reason for the expenses;

(10) The assets in any revocable trust of which the individual is the settlor if such assets would otherwise be required to be reported under this section;

(11) The name, position and relationship of any relative within the first degree of consanguinity or affinity to any other person who:

(a) Is employed by the state of Missouri, by a political subdivision of the state or special district, as defined in section 115.013, of the state of Missouri;

(b) Is a lobbyist; or

(c) Is a fee agent of the department of revenue;

(12) The name and address of each campaign committee, political party committee, candidate committee, or political action committee for which such person or any corporation listed on such person's financial interest statement received payment; and

(13) For members of the general assembly or any statewide elected public official, their spouses, and their dependent children, whether any state tax credits were claimed on the member's, spouse's, or dependent child's most recent state income tax return.

3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an individual shall be deemed to have received a salary from his employer or income from any source at the time when he shall receive a negotiable instrument whether or not payable at a later date and at the time when under the practice of his employer or the terms of an agreement he has earned or is entitled to anything of actual value whether or not delivery of the value is deferred or right to it has vested. The term income as used in this section shall have the same meaning as provided in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes effective, at any time or from time to time for the taxable year, provided that income shall not be considered received or earned for purposes of this section from a partnership or sole proprietorship until such income is converted from business to personal use.

4. Each official, officer or employee or candidate of any political subdivision described in subdivision (11) of section 105.483 shall be required to file a financial interest statement as required by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth of the preceding year, which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests and therefore excludes the political subdivision or district and its officers and employees

from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

(1) Disclosure in writing of the following described transactions, if any such transactions were engaged in during the calendar year:

(a) For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;

(b) The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision;

(2) The chief administrative officer and chief purchasing officer of such political subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of subsection 2 of this section;

(3) Disclosure of such other financial interests applicable to officials, officers and employees of the political subdivision, as may be required by the ordinance or resolution;

(4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the commission and the governing body of the political subdivision. The clerk of such governing body shall maintain such disclosure reports available for public inspection and copying during normal business hours.]

105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall be on a form prescribed by the commission and shall be signed and verified by a written declaration that it is made under penalties of perjury; provided, however, the form shall not seek information which is not specifically required by sections 105.483 to 105.492.

2. Each person required to file a financial interest statement pursuant to subdivisions (1) to (12) of section 105.483 shall file the following information for himself, his spouse and dependent children at any time during the period covered by the statement, whether singularly or collectively; provided, however, that said person, if he does not know and his spouse will not divulge any information required to be reported by this section concerning the financial interest of his spouse, shall state on his financial interest statement that he has disclosed that information known to him and that his spouse has refused or failed to provide other information upon his bona fide request, and such statement shall be deemed to satisfy the requirements of this section for such financial interest of his spouse; and provided further if the spouse of any person required to file a financial interest statement is also required by section 105.483 to file a financial interest statement, the financial interest statement filed by each need not disclose the financial interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate

financial interest statement and the name under which the statement was filed:

(1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;

(2) The name and address of each sole proprietorship which [he] **the person** owned; **the name, address, and the general nature of the business conducted of each limited liability company in which the person has an interest**; the name, address and the general nature of the business conducted of each general partnership and joint venture in which [he] **the person** was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partners' units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

(3) The name and address of any other source not reported pursuant to subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which such person received one thousand dollars or more of income during the year covered by the statement, including, but not limited to, any income otherwise required to be reported on any tax return such person is required by law to file; except that only the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system need be reported pursuant to this subdivision;

(4) The location by county, the subclassification for property tax assessment purposes, the approximate size and a description of the major improvements and use for each parcel of real property in the state, other than the individual's personal residence, having a fair market value of ten thousand dollars or more in which such person held a vested interest including a leasehold for a term of ten years or longer, and, if the property was transferred during the year covered by the statement, the name and address of the persons furnishing or receiving consideration for such transfer;

(5) The name and address of each entity in which such person owned stock, bonds or other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a corporation listed on a regulated stock exchange, only the name of the corporation need be listed; and provided that any member of any board or commission of the state or any political subdivision who does not receive any compensation for his services to the state or political subdivision other than reimbursement for his actual expenses or a per diem allowance as prescribed by law for each day of such service need not report interests in publicly traded corporations or limited partnerships which are listed on a regulated stock exchange or automated quotation system pursuant to this subdivision; and provided further that the provisions of this subdivision shall not require reporting of any interest in any qualified plan or annuity pursuant to the Employees' Retirement Income Security Act;

(6) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver;

(7) The name and address of each not-for-profit corporation and each association, organization, or union, whether incorporated or not, except not-for-profit corporations formed to provide church services, fraternal organizations or service clubs from which the officer or employee draws no remuneration, in which

such person was an officer, director, employee or trustee at any time during the year covered by the statement, and for each such organization, a general description of the nature and purpose of the organization;

(8) The name and address of each source from which such person received a gift or gifts, or honorarium or honoraria in excess of two hundred dollars in value per source during the year covered by the statement other than gifts from persons within the third degree of consanguinity or affinity of the person filing the financial interest statement. For the purposes of this section, a “gift” shall not be construed to mean political contributions otherwise required to be reported by law or hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or informational material. For the purposes of this section, a “gift” shall include gifts to or by creditors of the individual for the purpose of cancelling, reducing or otherwise forgiving the indebtedness of the individual to that creditor;

(9) The lodging and travel expenses provided by any third person for expenses incurred outside the state of Missouri whether by gift or in relation to the duties of office of such official, except that such statement shall not include travel or lodging expenses:

(a) Paid in the ordinary course of business for businesses described in subdivisions (1), (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

(b) For which the official may be reimbursed as provided by law; or

(c) Paid by persons related by the third degree of consanguinity or affinity to the person filing the statement; or

(d) Expenses which are reported by the campaign committee or candidate committee of the person filing the statement pursuant to the provisions of chapter 130; or

(e) Paid for purely personal purposes which are not related to the person’s official duties by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of a member, of any association or entity which employs a lobbyist. The statement shall include the name and address of such person who paid the expenses, the date such expenses were incurred, the amount incurred, the location of the travel and lodging, and the nature of the services rendered or reason for the expenses;

(10) The assets in any revocable trust of which the individual is the settlor if such assets would otherwise be required to be reported under this section;

(11) The name, position and relationship of any relative within the first degree of consanguinity or affinity to any other person who:

(a) Is employed by the state of Missouri, by a political subdivision of the state or special district, as defined in section 115.013, of the state of Missouri;

(b) Is a lobbyist; or

(c) Is a fee agent of the department of revenue;

(12) The name and address of each campaign committee, political committee, candidate committee, or continuing committee for which such person or any corporation listed on such person’s financial interest statement received payment; and

(13) For members of the general assembly or any statewide elected public official, their spouses, and

their dependent children, whether any state tax credits were claimed on the member's, spouse's, or dependent child's most recent state income tax return.

3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an individual shall be deemed to have received a salary from his employer or income from any source at the time when he shall receive a negotiable instrument whether or not payable at a later date and at the time when under the practice of his employer or the terms of an agreement he has earned or is entitled to anything of actual value whether or not delivery of the value is deferred or right to it has vested. The term income as used in this section shall have the same meaning as provided in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes effective, at any time or from time to time for the taxable year, provided that income shall not be considered received or earned for purposes of this section from a partnership or sole proprietorship until such income is converted from business to personal use.

4. Each official, officer or employee or candidate of any political subdivision described in subdivision (11) of section 105.483 shall be required to file a financial interest statement as required by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth of the preceding year, which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests and therefore excludes the political subdivision or district and its officers and employees from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

(1) Disclosure in writing of the following described transactions, if any such transactions were engaged in during the calendar year:

(a) For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;

(b) The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision;

(2) The chief administrative officer and chief purchasing officer of such political subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of subsection 2 of this section;

(3) Disclosure of such other financial interests applicable to officials, officers and employees of the political subdivision, as may be required by the ordinance or resolution;

(4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the commission and the governing body of the political subdivision. The clerk of such governing body shall maintain such disclosure reports available for public inspection and copying during normal business hours.

105.487. The financial interest statements shall be filed at the following times[, but no person is required to file more than one financial interest statement in any calendar year]:

(1) Each candidate for elective office, except those candidates for county committee of a political party pursuant to section 115.609 or section 115.611, who is required to file a personal financial disclosure statement shall file a financial interest statement no later than fourteen days after the close of filing at which the candidate seeks nomination or election, and the statement shall be for the twelve months prior to the closing date, except that in the event an individual does not become a candidate until after the date of certification for candidates, the statement shall be filed within fourteen days of the individual's nomination by caucus. An individual required to file a financial interest statement because of the individual's candidacy for office prior to a primary election in accordance with this section is also required to amend such statement no later than the close of business on Monday prior to the general election to reflect any changes in financial interest during the interim. The appropriate election authority shall provide to the candidate at the time of filing for election written notice of the candidate's obligation to file pursuant to sections 105.483 to 105.492 and the candidate shall sign a statement acknowledging receipt of such notice;

(2) Each person appointed to office, except any person elected for county committee of a political party pursuant to section 115.617, and each official or employee described in section 105.483 who is not otherwise covered in this subsection shall file the statement within thirty days of such appointment or employment;

(3) Every other person required by sections 105.483 to 105.492 to file a financial interest statement shall file the statement [annually] **biannually** not later than the [first] **fifteenth** day of [May and] **January** for the statement **that** shall cover the [calendar year ending the immediately preceding] **period from July first to December thirty-first of the preceding year and not later than July fifteenth for the statement that shall cover the period from January first to June thirtieth of the same calendar year**; provided that the governor, lieutenant governor, any member of the general assembly or any member of the governing body of a political subdivision may supplement such person's financial interest statement to report additional interests acquired after [December thirty-first of the covered year until the date of] **any deadline for** filing of [the] **a** financial interest statement;

(4) The deadline for filing any statement required by sections 105.483 to 105.492 shall be 5:00 p.m. of the last day designated for filing the statement. When the last day of filing falls on a Saturday or Sunday or on an official state holiday, the deadline for filing is extended to 5:00 p.m. on the next day which is not a Saturday or Sunday or official holiday. Any statement required within a specified time shall be deemed to be timely filed if it is postmarked not later than midnight of the day [previous to the last day] designated for filing the statement.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 11, Page 9, Section 105.470, Lines 176-177, by deleting all of said lines and inserting in lieu thereof the following:

“subdivision **or any superintendent of a school district, city manager, city administrator, or local government official elected in a county, city, town, village, or school district.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 616**, entitled:

An Act to amend chapter 137, RSMo, by adding thereto one new section relating to assessment in newly created political subdivisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 740**, entitled:

An Act to repeal sections 302.341 and 476.385, RSMo, and to enact in lieu thereof two new sections relating to suspending a driver's license for failure to appear.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 751**, entitled:

An Act to repeal section 70.210, RSMo, and to enact in lieu thereof one new section relating to the cooperation of political subdivisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 799**, entitled:

An Act to repeal section 478.463, RSMo, and to enact in lieu thereof one new section relating to the sixteenth judicial circuit.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 836**, entitled:

An Act to repeal section 306.126, RSMo, and to enact in lieu thereof one new section relating to boat passengers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 875**, entitled:

An Act to repeal section 182.660, RSMo, and to enact in lieu thereof one new section relating to public library districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 947**, entitled:

An Act to authorize the conveyance of certain state properties.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 979**, entitled:

An Act to repeal section 162.401, RSMo, and to enact in lieu thereof one new section relating to bonding requirements for treasurers of seven-director school districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1001**, entitled:

An Act to repeal sections 135.311, 414.350, 414.510, and 640.653, RSMo, and to enact in lieu thereof five new sections relating to the division of energy.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1052**, entitled:

An Act to repeal section 327.272, RSMo, and to enact in lieu thereof one new section relating to land surveyors.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

HOUSE BILLS ON THIRD READING

HCS for **HB 1**, with **SCS**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, and Fourth State Building Bond and Interest Fund, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 1**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, and Fourth State Building Bond and Interest Fund, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 1** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 1** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 2, with SCS, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri.

Was taken up by Senator Schaefer.

SCS for HCS for HB 2, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 2** be adopted, which motion prevailed.

Senator Schmitt assumed the Chair.

On motion of Senator Schaefer, **SCS for HCS for HB 2** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators

LeVota Schupp—2

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 3, with SCS, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be expended at public institutions of higher education that offer a tuition rate to any student with an unlawful immigration status in the United States that is less than the tuition rate charged to international students, and further provided that no scholarship funds shall be expended on behalf of students with an unlawful immigration status in the United States.

Was taken up by Senator Schaefer.

SCS for HCS for HB 3, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 3

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be expended at public institutions of higher education that offer a tuition rate to any student with an unlawful immigration status in the United States that is less than the tuition rate charged to international students, and further provided that no scholarship funds shall be expended on behalf of students with an unlawful immigration status in the United States.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 3** be adopted.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 3, Page 1, In the Title, Lines 9-13 of said page, by striking all of said lines and inserting in lieu thereof the following: “Attorney General.”

Senator Schupp moved that the above amendment be adopted, which motion failed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 3** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 3** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson

Wieland—25

NAYS—Senators

Curls	Holsman	Keaveny	LeVota	Nasheed	Schupp	Sifton	Walsh—8
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Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 4**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be used to pay the costs of conferences or meetings held by the American Association of Motor Vehicle Administrators (AAMVA), travel to attend such conferences or meetings, participation with boards, committees, or administration of AAMVA, or for the collection or retention of individual data by AAMVA that violates any state law, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri by members of the Missouri Highways and Transportation Commission.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 4**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 4

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be used to pay the costs of conferences or meetings held by the American Association of Motor Vehicle Administrators (AAMVA), travel to attend such conferences or meetings, participation with boards, committees, or administration of AAMVA, or for the collection or retention of individual data by AAMVA that violates any state law.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 4** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 4** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman	Keaveny
Kehoe	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators

Emery	Kraus	LeVota—3
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Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 5**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 5**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 5

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 5** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 5** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman	Kehoe
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—29			

NAYS—Senators

Emery	Kraus	LeVota—3
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Absent—Senator Keaveny—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 6, with SCS, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds may be expended to create, purchase, participate in, or require the acquisition of any credit, mitigation credit, or offset credit as a condition of acceptance, issuance, extension, or termination of a permit, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri by members of the Conservation Commission.

Was taken up by Senator Schaefer.

SCS for HCS for HB 6, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 6

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 6** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS for HCS for HB 6** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senator Dempsey—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 7, with SCS, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for HCS for HB 7, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 7

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 7** be adopted.

Senator Sifton offered **SA 1:**

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 7, Page 19, Section 7.820, Line 6, by striking the following number: “119,256” and inserting in lieu thereof the following number: “\$240,927” and further amend line 8 by striking the number “139,777” and inserting in lieu thereof the following number “261,448” and further amend line 25 by striking the number “13.40” and

inserting in lieu thereof the following number “16.5”

Senator Sifton moved that the above amendment be adopted, which motion failed.

Senator Kehoe assumed the Chair.

Senator Schaefer moved that **SCS** for **HCS** for **HB 7** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 7** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman	Keaveny
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 8**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 8**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 8

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 8** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 8** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 9**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 9**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 9

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 9** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 9** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Wieland—1

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

On motion of Senator Richard, the Senate recessed until 7:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 343**, entitled:

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to the money follows the person demonstration program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1053**, entitled:

An Act to repeal section 190.335, RSMo, and to enact in lieu thereof one new section relating to board

oversight of central dispatching for emergency services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1098**, entitled:

An Act to repeal section 362.600, RSMo, and to enact in lieu thereof one new section relating to trust companies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 134**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 338**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 567**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of Alpha Phi Alpha day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 808**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto three new sections relating to palliative care.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 810**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1010**, entitled:

An Act to repeal sections 288.380 and 288.381, RSMo, and to enact in lieu thereof two new sections relating to unemployment compensation benefits, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 869**, entitled:

An Act to repeal section 144.450, RSMo, and to enact in lieu thereof one new section relating to taxation on motor vehicles.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1076**, entitled:

An Act to repeal section 306.147, RSMo, and to enact in lieu thereof one new section relating to motorboat noise level limits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1116**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of ROHHAD awareness day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 501**, entitled:

An Act to repeal section 170.015, RSMo, and to enact in lieu thereof one new section relating to course materials relating to human sexuality.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1119**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to lineworker appreciation day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1127**, entitled:

An Act to repeal sections 162.481 and 162.491, RSMo, and to enact in lieu thereof two new sections relating to school directors for urban school districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1149**, entitled:

An Act to repeal sections 219.011, 219.021, and 219.091, RSMo, and to enact in lieu thereof four new sections relating to the division of youth services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

HOUSE BILLS ON THIRD READING

HCS for **HB 10**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article

IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 10**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 10

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of medicaid expansion as outlined under the Affordable Care Act.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 10** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 10, Section 10.570, Lines 148-150, by striking the number "\$686,196,083" and inserting in lieu thereof the number "\$49,443,606" and by striking the number "\$995,746,212" and inserting in lieu thereof the number "\$101,063,974" and by striking the number "\$46,263,877" and inserting in lieu thereof the number "\$21,678,143"

Further amend said bill, said section, pages 8 and 9, lines 68-116, by striking said lines from the bill and

Further amend said bill, said section, pages 9 and 10, lines 119-144, by striking said lines from the bill and

further amend said bill page 5 section 10.210 line 12 by inserting immediately thereafter the following:

"Section 10.214 To The Department of Mental Health

For the Division of Behavioral Health

For funding State Psychiatric Hospitals

From General Revenue Fund(0101)..\$186,081,104

From Department of Mental Health Federal Fund (0148)..\$10,889,047

From Other funds...\$4,444,004"

Section 10.215 To The Department of Mental Health

For the Division of Behavioral Health

For the purpose of funding Adult and Youth Community Services

From General Revenue Fund(0101)..\$152,354,896

From Department of Mental Health Federal Fund (0148)..\$263,963,871

From Other funds...\$4,405,534”

Section 10.216 To The Department of Mental Health

For the Division of Developmental Disabilities

For Developmental Disability Community Support

From General Revenue Fund(0101)..\$297,720,929

From Department of Mental Health Federal Fund (0148)..\$566,597,704

From Other funds...\$12,320,500”

Section 10.217 To The Department of Mental Health

For the Division of Developmental Disabilities

For the purpose of funding Habilitation Centers

From General Revenue Fund(0101)..\$27,826,951

From Department of Mental Health Federal Fund (0148)..\$53,231,616

From Other funds...\$3,415,696”

and

further amend section and bill totals accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion failed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 10** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 10** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Kehoe
Kraus	Libla	Munzlinger	Onder	Pearce	Richard	Riddle	Romine
Sater	Schaefer	Schatz	Schmitt	Silvey	Wasson	Wieland—23	

NAYS—Senators

Holsman	Keaveny	LeVota	Nasheed	Parson	Schaaf	Schupp	Sifton
Wallingford	Walsh—10						

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 11**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 11**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 11

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of Medicaid expansion as outlined under the Affordable Care Act.

Senator Pearce assumed the Chair.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 11** be adopted.

Senator Schaaf moved that pursuant to Senate Rule 73, **HCS** for **HB 11**, with **SCS** be committed to the Committee on Appropriations for further deliberation.

On motion of Senator Schaaf, the above motion was withdrawn.

President Pro Tem Dempsey assumed the Chair.

Senator Onder offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 9, Section 11.507, Lines 1-12, by striking all of said section from the bill; and

Further amend said bill, page 21, section 11.625, line 414 by striking the number “1,551,261,853” and

inserting in lieu thereof the following: “1,710,200,641”; and further amend line 415 by striking the number “4,648,277,168” and inserting in lieu thereof the following: “5,044,527,970”; and further amend line 416 by striking the number “2,138,392,229” and inserting in lieu thereof the following: “2,205,294,639”; and

Further amend the section and bill totals accordingly.

Senator Onder moved that the above amendment be adopted.

Senator Schaaf moved that pursuant to Senate Rule 73, **HCS** for **HB 11**, with **SCS** be committed to the Committee on Appropriations for further deliberation.

Senator Schmitt assumed the Chair.

Senator Pearce assumed the Chair.

On motion of Senator Schaaf, the above motion was withdrawn.

Senator Schaefer offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 9, Section 11.507, Line 8, by inserting after all of said line the following:

“No MO HealthNet managed care organization shall refuse to contract with any licensed Missouri medical doctor, doctor of osteopathy, psychiatrist, or psychologist who is located within the geographic coverage area of a MO HealthNet managed care program and is able to meet the credentialing criteria established by the National Committee for Quality Assurance, and is willing, as a term of contract, to be paid at rates not less than one hundred percent of the MO HealthNet Medicaid fee-for-service fee schedule”.

Senator Schaefer moved that the above substitute amendment be adopted.

Senator Schaaf raised the point of order that **SSA 1** for **SA 1** is out of order as it is not a true substitute amendment.

The point of order was referred to the President Pro Tem who ruled it not well taken.

Senator Schaefer moved that **SSA 1** for **SA 1**, be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Schaefer offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 4, Section 11.245, Line 11, by striking the number “600,000” and inserting in lieu thereof the following: “900,000”; and

Further amend the section and bill totals accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 11**, as amended, be adopted, which motion prevailed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 11**, as amended, be read the 3rd time and finally passed, which motion failed to receive a constitutional majority by the following vote:

YEAS—Senators

Brown	Curls	Dempsey	Dixon	Kehoe	Libla	Munzlinger	Pearce
Richard	Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Silvey
Wasson—17							

NAYS—Senators

Cunningham	Emery	Hegeman	Keaveny	Kraus	LeVota	Nasheed	Onder
Parson	Schaaf	Schupp	Sifton	Wallingford	Walsh	Wieland—15	

Absent—Senator Holsman—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 20**; **SCS** for **SB 197**; **SCS** for **SB 210**; **SCS** for **SB 230**; **SS** for **SCS** for **SB 278**; and **SS** for **HB 384**, begs leave to report that it has considered the same and recommends that the bills do pass.

HOUSE BILLS ON THIRD READING

Senator Dixon moved that **SS** for **HB 384** be taken up for 3rd reading and final passage, which motion prevailed.

SS for **HB 384** was read the third time and passed by the following vote:

YEAS—Senators

Cunningham	Curls	Dempsey	Dixon	Holsman	Keaveny	Kehoe	LeVota
Libla	Munzlinger	Nasheed	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Walsh
Wasson	Wieland—26						

NAYS—Senators

Brown	Emery	Hegeman	Kraus	Onder	Schaaf	Wallingford—7
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Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	LeVota	Libla	Munzlinger	Nasheed	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Walsh	Wasson	Wieland—29			

NAYS—Senators

Kraus	Onder	Schaaf	Wallingford—4
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Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Having voted on the prevailing side, Senator Kraus moved that the vote by which **SCS** for **HCS** for **HB 11**, as amended, failed on 3rd reading and final passage be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Curls	Dempsey	Dixon	Kehoe	Kraus	Libla	Munzlinger	Pearce
Richard	Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Silvey
Wasson	Wieland—18						

NAYS—Senators

Brown	Cunningham	Emery	Hegeman	Holsman	Keaveny	LeVota	Nasheed
Onder	Parson	Schaaf	Schupp	Sifton	Wallingford	Walsh—15	

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 11**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Curls	Dempsey	Dixon	Kehoe	Kraus	Libla	Munzlinger	Pearce
Richard	Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Silvey
Wasson	Wieland—18						

NAYS—Senators

Brown	Cunningham	Emery	Hegeman	Holsman	Keaveny	LeVota	Nasheed
Onder	Parson	Schaaf	Schupp	Sifton	Wallingford	Walsh—15	

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 12, with SCS, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2015 and ending June 30, 2016.

Was taken up by Senator Schaefer.

SCS for HCS for HB 12, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 12

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the

Constitution of Missouri, for the period beginning July 1, 2015 and ending June 30, 2016.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 12** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 12**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 12

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2015 and ending June 30, 2016.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 12** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 12** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senator Schupp—1

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 13, with SCS, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for HCS for HB 13, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 13

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 13** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS for HCS for HB 13** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

INTRODUCTIONS OF GUESTS

Senator Schupp introduced to the Senate, teachers, parents and eighth grade students from St. Monica School, Creve Coeur.

Senator Parson introduced to the Senate, Ken and Kim Weymuth, and their son, Karson, Sedalia; and Karson was made an honorary page.

Senator Hegeman introduced to the Senate, Julianne Germinder and her son, John Richard; and John Richard was made an honorary page.

Senator Holsman introduced to the Senate, Henry Fitzgerald, Nicholas Gardner, Carter Hall, Jackson Hoshor, Reece McKowen, Joseph Sulzer and Davis Twenter, Boy Scout Troop 150, Kansas City.

On motion of Senator Richard, the Senate adjourned until 3:00 p.m., Wednesday, April 8, 2015.

SENATE CALENDAR

FORTY-EIGHTH DAY—WEDNESDAY, APRIL 8, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 341-Dugger
 HB 675-Rowden
 HB 279-Cornejo
 HCS for HJR 34
 HCS for HBs 517 & 754
 HCS for HB 769
 HCS for HB 478
 HB 271-Hoskins
 HCS for HB 499
 HCS for HB 587
 HB 616-Dohrman
 HB 740-Jones
 HB 751-Walker

HB 799-Roeber
 HB 836-Ross
 HB 875-Hinson
 HB 947-Wiemann
 HB 979-Dugger
 HB 1001-Korman
 HB 1052-Miller
 HB 1053-Justus
 HB 1098-Crawford
 HB 134-Rowland
 HB 338-McGaugh
 HB 343-Lair
 HB 567-Dunn

HB 808-Cornejo
HB 810-Miller
HB 1010-Brown (57)
HB 869-Solon
HB 1076-Brown (57)

HB 1116-Rehder
HB 501-Montecillo
HB 1119-Redmon
HB 1127-Johnson
HB 1149-Lauer

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)
SCS for SB 56-Munzlinger
(In Fiscal Oversight)
SS for SB 201-Dixon
(In Fiscal Oversight)
SB 203-Dixon
(In Fiscal Oversight)

SCS for SB 210-Schaefer
SCS for SB 230-Romine
SS for SCS for SB 278-Schatz
SCS for SB 197-Brown
SB 20-Kraus

SENATE BILLS FOR PERFECTION

1. SB 445-Romine, with SCS
2. SB 456-Kehoe, with SCS
3. SB 244-Schmitt
4. SB 389-Silvey and Walsh
5. SB 155-Nasheed
6. SB 433-Dixon and Dempsey
7. SB 328-Schupp, with SCS
8. SB 540-Libla
9. SJR 12-Onder, with SCS
10. SB 365-Schmitt
11. SB 334-Nasheed
12. SB 401-Schmitt and Richard
13. SB 339-Munzlinger
14. SB 87-Emery, with SCS
15. SB 53-Schaaf
16. SB 55-Munzlinger
17. SB 500-Riddle

18. SB 469-Munzlinger
19. SB 400-Onder
20. SB 416-Wasson
21. SB 457-Sater
22. SB 517-Wasson, with SCS
23. SB 200-Dixon
24. SB 91-Dixon, with SCS
25. SB 112-Dixon, with SCS
26. SB 321-Hegeman, with SCS
27. SB 304-Keaveny, with SCS
28. SB 141-Parson
29. SB 352-Schaefer
30. SB 377-Schatz
31. SB 305-Onder
32. SB 369-Pearce
33. SB 435-Walsh
34. SB 232-Kehoe, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 42, with SCS (Pearce)

HB 150-Fitzpatrick (Kehoe)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)

SB 59-Dixon

SB 80-Dixon, with SCS

SB 142-Romine, with SCS & SS#2 for SCS
(pending)

SB 159-Parson

SB 167-Schaaf, with SCS

SB 190-Curls, with SCS

SB 199-Dixon, et al, with SCS

SB 227-Emery, with SS (pending)

SB 233-Kehoe, with SCS & SA 2 (pending)

SB 302-Riddle, with SCS (pending)

SBs 331 & 21-Libla, with SCS & SS for
SCS (pending)

SB 358-Kehoe

SB 372-Keaveny, with SCS (pending)

SB 386-Keaveny, with SS & SA 1 (pending)

SB 424-Pearce, with SA 1 (pending)

SB 452-Schmitt, et al, with SA 1 & point
of order (pending)

SB 475-Dempsey

SB 524-Cunningham

SJR 7-Richard and Wallingford

SENATE BILLS WITH HOUSE AMENDMENTS

SS#2 for SCS for SB 11-Richard, with HA 1,

HA 1 to HA 2, HA 2, as amended,

HA 1 to HA 3, HA 3, as amended & HA 4

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 24-Sater, with HCS,
as amended

RESOLUTIONS

Reported from Committee

SCR 13-Curls

SCR 14-Schaefer

SCR 15-Riddle
SCR 17-Hegeman
SCR 20-Emery
SCRs 21, 19 & 23-Dixon, et al, with SCS
SCR 22-Schaefer
SCR 25-Munzlinger
SCR 26-Dempsey, with SCS

SCR 29-Onder
SCR 30-Kehoe, with SCS
SCR 31-Cunningham
SCR 32-Hegeman
HCR 15-Roden (Wieland)
HCR 21-Miller (Kehoe)

To be Referred

HCR 18-McCann

HCR 26-Shull

✓

Journal of the Senate

FIRST REGULAR SESSION

FORTY-EIGHTH DAY—WEDNESDAY, APRIL 8, 2015

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“A word fitly spoken is like gold.” (Proverbs 25:11)

Gracious God, we ask for Your help to properly prepare our words in what we say and write. Let us never forget the power and impact of our words on people we work with and who work for us, both positively and negatively. So, please guide our research and our reading so our efforts are prudent and efficient and our expressions helpful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Emery offered Senate Resolution No. 735, regarding Connie Clark, Raymore, which was adopted.

Senator Schupp offered Senate Resolution No. 736, regarding Robert Edward Muehring, Saint Louis, which was adopted.

Senator Sater offered Senate Resolution No. 737, regarding Jeremy Mullins, Crane, which was adopted.

Senator Sater offered Senate Resolution No. 738, regarding Lexie Vaught, which was adopted.

Senator Sater offered Senate Resolution No. 739, regarding Josie Young, which was adopted.

Senator Sater offered Senate Resolution No. 740, regarding Emily Parker, which was adopted.

Senator Sater offered Senate Resolution No. 741, regarding Dre Sitton, which was adopted.

Senator Cunningham offered Senate Resolution No. 742, regarding Van E. Kelly, which was adopted.

Senator Dempsey offered Senate Resolution No. 743, regarding Susan Sams, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 744, regarding Craig Felzien, Saint Charles, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Senate Substitute for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 63, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The attached is a certified copy of the Roll Call on Senate Substitute for Senate Committee Substitute for House Committee Substitute No. 2 for House Bill No. 63.

AYES: 111

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes	Basye
Beard	Bernskoetter	Berry	Bondon	Brattin	Brown 57	Brown 94	Burlison
Chipman	Cierpiot	Conway 104	Cookson	Corlew	Cornejo	Crawford	Cross
Curtis	Curtman	Davis	Dogan	Dohrman	Dugger	Eggleston	Engler
English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Fraker	Franklin	Frederick
Gosen	Haahr	Haefner	Hansen	Hicks	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Johnson	Jones	Justus	Keeney
Kelley	Kidd	King	Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch	Mathews	McCaherty	McDaniel
McGaugh	Messenger	Miller	Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pietzman	Pike	Redmon	Rehder	Reiboldt	Remole	Rhoads
Richardson	Roden	Roeber	Rone	Ross	Rowden	Rowland	Ruth
Shaul	Shull	Shumake	Solon	Sommer	Spencer	Swan	Taylor
Vescovo	White	Wiemann	Wilson	Wood	Zerr	Mr. Speaker	

NOES: 49

Adams	Anders	Arthur	Black	Burns	Butler	Carpenter	Colona
Conway 10	Dunn	Ellington	Gannon	Gardner	Green	Harris	Hummel
Hurst	Kendrick	Kirkton	Kratky	LaFaver	Lavender	Marshall	May
McCann Beatty	McCreery	McDonald	McManus	McNeil	Meredith	Mims	Mitten
Montecillo	Moon	Morgan	Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Pogue	Rizzo	Runions	Smith	Walker	Walton Gray
Webber							

ABSENT: 2

Flanigan Hubbard

VACANCIES: 1

PRIVILEGED MOTIONS

Senator Richard moved that the Senate refuse to concur in **HA 1**, **HA 2**, as amended, **HA 3**, as amended, and **HA 4** to **SS No. 2** for **SCS** for **SB 11** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Wasson moved that **SS** for **SCS** for **HCS No. 2** for **HB 63** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Hegeman	Kehoe	LeVota	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson	Wieland—24

NAYS—Senators

Chappelle-Nadal	Curls	Emery	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—9							

Absent—Senator Kraus—1

Absent with leave—Senators—None

Vacancies—None

President Kinder assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Cunningham moved that **SB 524**, be taken up for perfection, which motion prevailed.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 524, Page 2, Section 362.159, Line 22, by inserting immediately after said line the following:

“367.105. Any person making or offering a consumer credit loan shall contract for and receive interest and fees in accordance with sections 408.100, 408.140, and 408.170 and shall be subject to all provisions of sections 408.100, 408.140, and 408.170.

367.515. A title lender shall contract for and receive simple interest and fees in accordance with sections 408.100 and 408.140 **and shall be subject to all provisions of sections 408.100 and 408.140.”**; and

Further amend said bill and page, section 370.073, line 22, by inserting immediately after said line the following:

“408.100. 1. This section shall apply to all loans which are not made as permitted by other laws of this state except that it shall not apply to loans which are secured by a lien on real estate, nonprocessed farm products, livestock, farm machinery or crops or to loans to corporations. On any loan subject to this section, any person, firm, or corporation may charge, contract for and receive interest on the unpaid principal balance at rates agreed to by the parties provided that the interest, fees, and finance charges shall not exceed an annual percentage rate of thirty-six percent.

2. A person shall not engage in any device or subterfuge intended to evade the requirements of this chapter through any method including, but not limited to, mail, telephone, internet, or any electronic means, including:

(1) Offering, making, assisting a borrower to obtain, or brokering a loan at an annual percentage rate prohibited by this section, making loans disguised as personal property sales and leaseback transactions, or disguising loan proceeds as cash rebates for the pretextual installment sale of goods or services;

(2) Making, assisting a borrower to obtain, or brokering an offer of credit, or in whole or in part, from a third party, or acting as an agent for a third party, regardless of whether the third party is exempt from licensing or whether approval, acceptance, or ratification by the third party is necessary to create a legal obligation for the third party; or

(3) Charging any application fee for the provision of credit or any fee for participation in a credit plan, if such a fee is authorized under any applicable section of Missouri law, without including the fees in the calculation of the annual percentage rate of the credit in accordance with the allowable rate set forth in this section.

408.500. 1. Lenders, other than banks, trust companies, credit unions, savings banks and savings and loan companies, in the business of making unsecured loans of five hundred dollars or less, **commonly known as payday lenders**, shall obtain a license from the director of the division of finance. An annual license fee of three hundred dollars per location shall be required. The license year shall commence on January first each year and the license fee may be prorated for expired months. The director may establish a biennial licensing arrangement but in no case shall the fees be payable for more than one year at a time. The provisions of this section shall not apply to pawnbroker loans, consumer credit loans as authorized under chapter 367, nor to a check accepted and deposited or cashed by the payee business on the same or the following business day. The disclosures required by the federal Truth in Lending Act and regulation Z shall be provided on any loan, renewal or extension made pursuant to this section and the loan, renewal or extension documents shall be signed by the borrower.

2. Entities making loans pursuant to this section shall contract for and receive simple interest and fees in accordance with sections 408.100 and 408.140 **and shall be subject to all provisions of sections 408.100**

and 408.140. Any contract evidencing any fee or charge of any kind whatsoever, except for bona fide clerical errors, in violation of this section shall be void. Any person, firm or corporation who receives or imposes a fee or charge in violation of this section shall be guilty of a class A misdemeanor.

3. Notwithstanding any other law to the contrary, cost of collection expenses, which include court costs and reasonable attorneys fees, awarded by the court in suit to recover on a bad check or breach of contract shall not be considered as a fee or charge for purposes of this section.

4. Lenders licensed pursuant to this section shall conspicuously post in the lobby of the office, in at least fourteen-point bold type, the maximum annual percentage rates such licensee is currently charging and the statement:

NOTICE:

This lender offers short-term loans. Please read and understand the terms of the loan agreement before signing.

5. The lender shall provide the borrower with a notice in substantially the following form set forth in at least ten-point bold type, and receipt thereof shall be acknowledged by signature of the borrower:

(1) This lender offers short-term loans. Please read and understand the terms of the loan agreement before signing.

(2) You may cancel this loan without costs by returning the full principal balance to the lender by the close of the lender's next full business day.

6. The lender shall renew the loan upon the borrower's written request and the payment of any interest and fees due at the time of such renewal; however, upon the first renewal of the loan agreement, and each subsequent renewal thereafter, the borrower shall reduce the principal amount of the loan by not less than five percent of the original amount of the loan until such loan is paid in full. However, no loan may be renewed more than six times.

7. When making or negotiating loans, a licensee shall consider the financial ability of the borrower to reasonably repay the loan in the time and manner specified in the loan contract. All records shall be retained at least two years.

8. A licensee who ceases business pursuant to this section must notify the director to request an examination of all records within ten business days prior to cessation. All records must be retained at least two years.

9. Any lender licensed pursuant to this section who fails, refuses or neglects to comply with the provisions of this section, or any laws relating to consumer loans or commits any criminal act may have its license suspended or revoked by the director of finance after a hearing before the director on an order of the director to show cause why such order of suspension or revocation should not be entered specifying the grounds therefor which shall be served on the licensee at least ten days prior to the hearing.

10. Whenever it shall appear to the director that any lender licensed pursuant to this section is failing, refusing or neglecting to make a good faith effort to comply with the provisions of this section, or any laws relating to consumer loans, the director may issue an order to cease and desist which order may be enforceable by a civil penalty of not more than one thousand dollars per day for each day that the neglect, failure or refusal shall continue. The penalty shall be assessed and collected by the director. In determining the amount of the penalty, the director shall take into account the appropriateness of the penalty with respect

to the gravity of the violation, the history of previous violations, and such other matters as justice may require.

408.505. 1. This section shall apply to:

(1) Unsecured loans made by lenders licensed or who should have been licensed pursuant to section 408.500;

(2) Any person that the Missouri division of finance determines that has entered into a transaction that, in substance, is a disguised loan; and

(3) Any person that the Missouri division of finance determines has engaged in subterfuge for the purpose of avoiding the provisions of this section.

2. All loans made pursuant to this section and section 408.500, shall have a minimum term of fourteen days and a maximum term of thirty-one days, regardless of whether the loan is an original loan or renewed loan.

3. A lender may only charge simple interest and fees in accordance with sections 408.100 and 408.140 **and shall be subject to all provisions of sections 408.100 and 408.140.** No other charges of any nature shall be permitted except as provided by this section, including any charges for cashing the loan proceeds if they are given in check form. [However, no borrower shall be required to pay a total amount of accumulated interest and fees in excess of seventy-five percent of the initial loan amount on any single loan authorized pursuant to this section for the entire term of that loan and all renewals authorized by section 408.500 and this section.]

4. A loan made pursuant to the provisions of section 408.500 and this section shall be deemed completed and shall not be considered a renewed loan when the lender presents the instrument for payment or the payee redeems the instrument by paying the full amount of the instrument to the lender. Once the payee has completed the loan, the payee may enter into a new loan with a lender.

5. Except as provided in subsection 3 of this section, no loan made pursuant to this section shall be repaid by the proceeds of another loan made by the same lender or any person or entity affiliated with the lender. A lender, person or entity affiliated with the lender shall not have more than five hundred dollars in loans made pursuant to section 408.500 and this section outstanding to the same borrower at any one time. A lender complies with this subsection if:

(1) The consumer certifies in writing that the consumer does not have any outstanding small loans with the lender which in the aggregate exceeds five hundred dollars, and is not repaying the loan with the proceeds of another loan made by the same lender; and

(2) The lender does not know, or have reason to believe, that the consumer's written certification is false.

6. On a consumer loan transaction where cash is advanced in exchange for a personal check, a return check charge may be charged in the amounts provided by sections 408.653 and 408.654, as applicable.

7. No state or public employee or official, including a judge of any court of this state, shall enforce the provisions of any contract for payment of money subject to this section which violates the provisions of section 408.500 and this section.

8. A person does not commit the crime of passing a bad check pursuant to section 570.120 if at the time the payee accepts a check or similar sight order for the payment of money, he or she does so with the

understanding that the payee will not present it for payment until later and the payee knows or has reason to believe that there are insufficient funds on deposit with the drawee at the time of acceptance. However, this section shall not apply if the person's account on which the instrument was written was closed by the consumer before the agreed-upon date of negotiation or the consumer has stopped payment on the check.

9. A lender shall not use a device or agreement that would have the effect of charging or collecting more fees, charges, or interest than allowed by this section, including, but not limited to:

- (1) Entering into a different type of transaction;
- (2) Entering into a sales lease back arrangement;
- (3) Catalog sales;

(4) Entering into any other transaction with the consumer that is designed to evade the applicability of this section.

10. The provisions of this section shall only apply to entities subject to the provisions of section 408.500 and this section.

408.510. Notwithstanding any other law to the contrary, the phrase “consumer installment loans” means secured or unsecured loans of any amount and payable in not less than four substantially equal installments over a period of not less than one hundred twenty days. The phrase “consumer installment lender” means a person licensed to make consumer installment loans. A consumer installment lender shall be licensed in the same manner and upon the same terms as a lender making consumer credit loans. Such consumer installment lenders shall contract for and receive interest and fees in accordance with sections 408.100, 408.140, and 408.170 **and shall be subject to all provisions of sections 408.100, 408.140, and 408.170.** Consumer installment lenders shall be subject to the provisions of sections 408.551 to 408.562.”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted.

Senator Cunningham raised the point of order that **SA 1** is out of order as it goes beyond the scope of the original bill.

The point of order was referred to the President Pro Tem who took it under advisement, which placed **SB 524**, with **SA 1** and the point of order (pending), on the Informal Calendar.

Senator Romine moved that **SB 445**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 445**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 445

An Act to amend chapter 643, RSMo, by adding thereto one new section relating to sulfur dioxide ambient air quality monitoring.

Was taken up.

Senator Romine moved that **SCS** for **SB 445** be adopted.

Senator Romine offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 445, Page 1, Section 643.650, Line 3, by striking the following: “in any county with a charter form of government”; and further amend line 4, by striking all of said line; and further amend line 5, by striking the following: “hundred fifty thousand inhabitants”; and

Further amend said bill and section, page 2, line 23, by striking the words “second phase”.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Romine, **SB 445**, with **SCS**, as amended, was placed on the Informal Calendar.

Senator Cunningham moved that **SB 524**, with **SA 1** and the point of order (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

President Pro Tem Dempsey ruled the pending point of order well taken.

On motion of Senator Cunningham, **SB 524** was declared perfected and order printed.

Senator Kehoe moved that **SB 456**, with **SCS**, be taken up for perfection, which motion prevailed.
SCS for **SB 456**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 456

An Act to repeal sections 301.140, 301.190, and 407.581, RSMo, and to enact in lieu thereof three new sections relating to the ownership of motor vehicles.

Was taken up.

Senator Kehoe moved that **SCS** for **SB 456** be adopted.

Senator Kehoe offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 456, Page 13, Section 301.213, Line 76, by inserting immediately after “claim.” the following: “**Such insurance company may apply for a salvage certificate of title or junking certificate pursuant to the provisions of subsection 3 of section 301.193 in order to transfer its interest in such vehicle.**”.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe moved that **SCS** for **SB 456**, as amended, be adopted, which motion prevailed.

On motion of Senator Kehoe, **SCS** for **SB 456**, as amended, was declared perfected and ordered printed.

Senator Pearce assumed the Chair.

Senator Romine moved that **SB 445**, with **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Romine moved that **SCS** for **SB 445**, as amended, be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SB 445**, as amended, was declared perfected and ordered printed.

Senator Schmitt moved that **SB 244** be taken up for perfection, which motion prevailed.

Senator Schmitt offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 244, Page 2, Section 409.620, Line 4, by inserting after the word “taken” the following:

“**or not taken**”.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Schmitt, **SB 244**, as amended, was declared perfected and ordered printed.

Senator Silvey moved that **SB 389**, be taken up for perfection, which motion prevailed.

Senator Silvey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 389, Page 3, Section 34.040, Line 69, by inserting after all of said line the following:

“136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur’s, operator’s or driver’s license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) [or], 501(c)(6), or **501(c)(4), except those civic organizations that would be considered action organizations under 26 C.F.R. Section 1.501(c)(3)-1(c)(3), of the Internal Revenue Code of 1986, as amended, with special consideration given to those organizations and entities that reinvest a minimum of seventy-five percent of the net proceeds to charitable organizations in Missouri**, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter

536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator LeVota offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 389, Page 3, Section 34.040, Line 69, by inserting after all of said line the following:

“Section B. Because of the need to ensure a fair bidding process for contract license offices, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title accordingly.

Senator LeVota moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Silvey, **SB 389**, as amended, was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2** and requests the Senate to recede from its position and failing

to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 3** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 4** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 5** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 6** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 7** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 8** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 9** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 10** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 11**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 12** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 13** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

PRIVILEGED MOTIONS

Senator Schaefer requested unanimous consent of the Senate to be allowed to make one motion to send **SCS** for **HCS** for **HB 2**; **SCS** for **HCS** for **HB 3**; **SCS** for **HCS** for **HB 4**; **SCS** for **HCS** for **HB 5**; **SCS** for **HCS** for **HB 6**; **SCS** for **HCS** for **HB 7**; **SCS** for **HCS** for **HB 8**; **SCS** for **HCS** for **HB 9**; **SCS** for **HCS** for **HB 10**; **SCS** for **HCS** for **HB 11**, as amended; **SS** for **SCS** for **HCS** for **HB 12**; and **SCS** for **HCS** for **HB 13** to conference in one motion, which request was granted.

Senator Schaefer moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 2**; **SCS** for **HCS** for **HB 3**; **SCS** for **HCS** for **HB 4**; **SCS** for **HCS** for **HB 5**; **SCS** for **HCS** for **HB 6**; **SCS** for **HCS** for **HB 7**; **SCS** for **HCS** for **HB 8**; **SCS** for **HCS** for **HB 9**; **SCS** for **HCS** for **HB 10**; **SCS** for **HCS** for **HB 11**, as amended; **SS** for **SCS** for **HCS** for **HB 12**; and **SCS** for **HCS** for **HB 13** and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 2**: Senators Schaefer, Pearce, Silvey, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 3**: Senators Schaefer, Pearce, Brown, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 4**: Senators Schaefer, Brown, Kehoe, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 5**: Senators Schaefer, Brown, Silvey, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 6**: Senators Schaefer, Parson, Brown, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like

committee from the House on **SCS** for **HCS** for **HB 7**: Senators Schaefer, Kehoe, Silvey, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 8**: Senators Schaefer, Brown, Silvey, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 9**: Senators Schaefer, Brown, Silvey, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 10**: Senators Schaefer, Brown, Silvey, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 11**, as amended: Senators Schaefer, Kehoe, Silvey, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 12**: Senators Schaefer, Brown, Silvey, Curls and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 13**: Senators Schaefer, Brown, Silvey, Curls and Walsh.

REFERRALS

President Pro Tem Dempsey referred **HCR 18** and **HCR 26** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

HB 341—Financial and Governmental Organizations and Elections.

HB 675—Transportation, Infrastructure and Public Safety.

HB 279—Jobs, Economic Development and Local Government.

HCS for **HJR 34**—Rules, Joint Rules, Resolutions and Ethics.

HCS for **HBs 517 & 754**—Ways and Means.

HCS for **HB 769**—Veterans' Affairs and Health.

HCS for **HB 478**—Education.

HB 271—Governmental Accountability and Fiscal Oversight.

HCS for **HB 499**—General Laws and Pensions.

HCS for HB 587—Financial and Governmental Organizations and Elections.

HB 616—Jobs, Economic Development and Local Government.

HB 740—Transportation, Infrastructure and Public Safety.

HB 751—Jobs, Economic Development and Local Government.

HB 799—Judiciary and Civil and Criminal Jurisprudence.

HB 836—Transportation, Infrastructure and Public Safety.

HB 875—Jobs, Economic Development and Local Government.

HB 947—Governmental Accountability and Fiscal Oversight.

HB 979—Financial and Governmental Organizations and Elections.

HB 1001—Commerce, Consumer Protection, Energy and the Environment.

HB 1052—Financial and Governmental Organizations and Elections.

HB 1053—Jobs, Economic Development and Local Government.

HB 1098—Financial and Governmental Organizations and Elections.

HB 134—Transportation, Infrastructure and Public Safety.

HB 338—Transportation, Infrastructure and Public Safety.

HB 343—Seniors, Families and Children.

HB 567—General Laws and Pensions.

HB 808—Veterans' Affairs and Health.

HB 810—Transportation, Infrastructure and Public Safety.

HB 1010—Small Business, Insurance and Industry.

HB 869—Transportation, Infrastructure and Public Safety.

HB 1076—General Laws and Pensions.

HB 1116—General Laws and Pensions.

HB 501—Seniors, Families and Children.

HB 1119—General Laws and Pensions.

HB 1127—Education.

HB 1149—Seniors, Families and Children.

INTRODUCTIONS OF GUESTS

Senator Libla introduced to the Senate, teachers, parents, chaperones and students from Charleston, New Madrid County Central, Hayti, Caruthersville and South Pemiscot Schools

Senator Curls introduced to the Senate, Al Spiller, Los Angeles, California.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-NINTH DAY—THURSDAY, APRIL 9, 2015

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce

(In Fiscal Oversight)

SCS for SB 56-Munzlinger

(In Fiscal Oversight)

SS for SB 201-Dixon (In Fiscal Oversight)

SB 203-Dixon (In Fiscal Oversight)

SCS for SB 210-Schaefer

SCS for SB 230-Romine

SS for SCS for SB 278-Schatz

SCS for SB 197-Brown

SB 20-Kraus

SENATE BILLS FOR PERFECTION

1. SB 155-Nasheed
2. SB 433-Dixon and Dempsey
3. SB 328-Schupp, with SCS
4. SB 540-Libla
5. SJR 12-Onder, with SCS
6. SB 365-Schmitt
7. SB 334-Nasheed
8. SB 401-Schmitt and Richard
9. SB 339-Munzlinger
10. SB 87-Emery, with SCS
11. SB 53-Schaaf
12. SB 55-Munzlinger
13. SB 500-Riddle
14. SB 469-Munzlinger
15. SB 400-Onder

16. SB 416-Wasson
17. SB 457-Sater
18. SB 517-Wasson, with SCS
19. SB 200-Dixon
20. SB 91-Dixon, with SCS
21. SB 112-Dixon, with SCS
22. SB 321-Hegeman, with SCS
23. SB 304-Keaveny, with SCS
24. SB 141-Parson
25. SB 352-Schaefer
26. SB 377-Schatz
27. SB 305-Onder
28. SB 369-Pearce
29. SB 435-Walsh
30. SB 232-Kehoe, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 42, with SCS (Pearce)

HB 150-Fitzpatrick (Kehoe)

INFORMAL CALENDAR
SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)	SB 302-Riddle, with SCS (pending)
SB 59-Dixon	SBs 331 & 21-Libla, with SCS & SS for
SB 80-Dixon, with SCS	SCS (pending)
SB 142-Romine, with SCS & SS#2 for SCS	SB 358-Kehoe
(pending)	SB 372-Keaveny, with SCS (pending)
SB 159-Parson	SB 386-Keaveny, with SS & SA 1 (pending)
SB 167-Schaaf, with SCS	SB 424-Pearce, with SA 1 (pending)
SB 190-Curls, with SCS	SB 452-Schmitt, et al, with SA 1 & point
SB 199-Dixon, et al, with SCS	of order (pending)
SB 227-Emery, with SS (pending)	SB 475-Dempsey
SB 233-Kehoe, with SCS & SA 2 (pending)	SJR 7-Richard and Wallingford

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 24-Sater, with HCS,	HCS for HB 8, with SCS (Schaefer)
as amended	HCS for HB 9, with SCS (Schaefer)
HCS for HB 2, with SCS (Schaefer)	HCS for HB 10, with SCS (Schaefer)
HCS for HB 3, with SCS (Schaefer)	HCS for HB 11, with SCS, as amended
HCS for HB 4, with SCS (Schaefer)	(Schaefer)
HCS for HB 5, with SCS (Schaefer)	HCS for HB 12, with SS for SCS (Schaefer)
HCS for HB 6, with SCS (Schaefer)	HCS for HB 13, with SCS (Schaefer)
HCS for HB 7, with SCS (Schaefer)	

Requests to Recede or Grant Conference

SS#2 for SCS for SB 11-Richard, with HA 1,
HA 2, as amended, HA 3, as amended & HA 4
(Senate requests House recede or grant
conference)

RESOLUTIONS

Reported from Committee

SCR 13-Curls	SCR 14-Schaefer
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SCR 15-Riddle
SCR 17-Hegeman
SCR 20-Emery
SCRs 21, 19 & 23-Dixon, et al, with SCS
SCR 22-Schaefer
SCR 25-Munzlinger
SCR 26-Dempsey, with SCS

SCR 29-Onder
SCR 30-Kehoe, with SCS
SCR 31-Cunningham
SCR 32-Hegeman
HCR 15-Roden (Wieland)
HCR 21-Miller (Kehoe)

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-NINTH DAY—THURSDAY, APRIL 9, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let everything that breathes praise the Lord!” (Psalm 150:6)

Gracious God, as we finish up today bless our efforts and may they be in keeping with what You desire. And, as we eventually get home, may we walk with You continually and may You provide us with the fortitude to shine our light at home and in our communities. And Lord, may our homes and our families praise and honor You in all we say and do there. And, we would ask that You dwell with us and not depart from us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 745, regarding Caleb Ball, Phillipsburg, which was adopted.

Senator Dixon offered Senate Resolution No. 746, regarding the Pregnancy Care Center, Springfield, which was adopted.

Senator Nasheed offered Senate Resolution No. 747, regarding John D. Ballentine, St. Louis, which was adopted.

Senator Nasheed offered Senate Resolution No. 748, regarding Francis Xavier King, Saint Louis, which was adopted.

Senator Schatz offered Senate Resolution No. 749, regarding Michael J. Costello, Jr., Ellisville, which was adopted.

Senator Chappelle-Nadal offered the following resolution:

SENATE RESOLUTION NO. 750

WHEREAS, the Missouri Senate recognizes the importance of programs designed to provide college students the opportunity to enhance their leadership qualities; and

WHEREAS, the 21st Century Leadership Academy hosted by the University of Missouri-St. Louis is an intense program designed to encourage women's public sector leadership; and

WHEREAS, the Leadership Academy curriculum includes interactive panel discussions and skill-building workshops, as well as the opportunity to participate in a mock legislative session; and

WHEREAS, the Missouri Senate has a long tradition of assisting those seeking insight into the Legislative Branch of state government by granting use of the Senate Chamber.

NOW, THEREFORE, BE IT RESOLVED that the Missouri Senate hereby grant the participants of the 21st Century Leadership Academy use of the Senate chamber for the purpose of conducting a mock legislative session from 10:00 am to 12:30 pm on Wednesday, May 20, 2015.

Senator Chappelle-Nadal requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 750** up for adoption, which request was granted.

On motion of Senator Chappelle-Nadal, **SR 750** was adopted.

Senator Onder offered Senate Resolution No. 751, regarding Anna Perryman, Lake St. Louis, which was adopted.

Senator Onder offered Senate Resolution No. 752, regarding Madison Rybak, Lake St. Louis, which was adopted.

Senator Onder offered Senate Resolution No. 753, regarding Emma Berry, Lake St. Louis, which was adopted.

Senator Onder offered Senate Resolution No. 754, regarding Ashton Shumaker, Lake St. Louis, which was adopted.

Senator Onder offered Senate Resolution No. 755, regarding Andrew Jehle, Lake St. Louis, which was adopted.

CONCURRENT RESOLUTIONS

Senator Wieland offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 37

Whereas, the majority of tow truck operators in the state of Missouri are reputable service providers; and

Whereas, some unscrupulous towing companies are engaged in predatory practices victimizing consumers whose motor vehicles are parked on public streets and private property; and

Whereas, predatory towing practices include charging unwarranted or excessive fees, particularly in connection with towing vehicles from private parking lots which do not display any warnings to the vehicle owners, or overcharging motorists for towing services provided under circumstances where the consumer has no meaningful opportunity to withhold his or her consent; and

Whereas, predatory towing often involves tow truck operators removing motor vehicles without a contract or a direct dispatch from the property owner; and

Whereas, the legitimate business interests of tow truck operators and the needs of private property owners for relief from unauthorized parking must be balanced with the interest in providing appropriate protection to the motoring public; and

Whereas, whatever authority exists in the law to regulate towing and towing companies is fragmented among various state agencies, most notably the Missouri Highway Patrol, and local governments, so that inconsistent or inadequate regulation often results, with insufficient recourse provided to the consumer under the law; and

Whereas, previous attempts to reform the towing industry through rotation lists established by the Missouri Highway Patrol have been thwarted by the courts; and

Whereas, it is in the public interest and the legitimate towing industry's interest in general to create a coordinated, comprehensive framework to establish and enforce minimum standards for tow truck operators:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby establishes the Missouri Predatory Towing Practices Task Force; and

Be It Further Resolved that the mission of the Task Force shall be to fully consider and make recommendations in a report to the General Assembly on developing strategies to combat predatory towing practices by unscrupulous towing companies; and

Be It Further Resolved that the Task Force shall conduct a comprehensive analysis of the towing industry, including the predatory practices performed by some of its members, the response by local governments to combat the predatory practices within its jurisdiction, the problems encountered by the insurance industry in paying exorbitant towing and storage fees, and examine any other issues that the Task Force deems relevant to improving the towing industry, and make any recommendations for improving the towing industry and curbing predatory towing practices in Missouri; and

Be It Further Resolved that the Task Force shall consist of the following members:

(1) Two members of the Senate, one to be appointed by the President Pro Tempore of the Senate and one to be appointed by the Minority Leader of the Senate;

(2) Two members of the House of Representatives, one to be appointed by the Speaker of the House of Representatives and one to be appointed by the Minority Leader of the House of Representatives;

(3) The Superintendent of the Missouri Highway Patrol, or his or her designee, to serve as a member of the Task Force;

(4) Three tow truck operators from the towing industry, with two members appointed by the President Pro Tempore of the Senate from a list of recommendations submitted by the Missouri Tow Truck Association and one member appointed by the Speaker of the House of Representatives, from a list of recommendations submitted by the Towing and Recovery Association of Missouri;

(5) Two members of the insurance industry representing insurers that write automobile insurance in the state of Missouri and are members of the Missouri Insurance Coalition, with one member appointed by the President Pro Tempore of the Senate and one member appointed by the Speaker of the House of Representatives, from a list of recommendations submitted by the Missouri Insurance Coalition;

(6) Two members of the general public, with one member appointed by the President Pro Tempore of the Senate and one member appointed by the Speaker of the House of Representatives;

(7) Four members of local law enforcement, one from the St. Louis Police Department, one member from the Kansas City Police Department, one member from the St. Louis County Sheriff Department, and one member from a law enforcement office in rural Missouri, with two members appointed by the President Pro Tempore of the Senate and two members appointed by the Speaker of the House of Representatives; and

Be It Further Resolved that the Task Force shall not hold any public hearings until the General Assembly reconvenes for veto session in 2015; and

Be It Further Resolved that the Task Force be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations; and

Be It Further Resolved that the staffs of House Research, Senate Research, and the Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Task Force may require in the performance of its duties; and

Be It Further Resolved that the Task Force, its members, and any staff assigned to the Task Force shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Task Force or any subcommittee thereof; and

Be It Further Resolved that the Task Force shall deliver a report of its findings and recommendations to the Missouri General Assembly

by January 1, 2016; and

Be It Further Resolved that the Task Force shall terminate by either a majority of the members voting for termination or by January 1, 2016, whichever occurs first; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Superintendent of the Missouri Highway Patrol.

Senator Cunningham requested unanimous consent of the Senate to correct the April 2, 2015 Governmental Accountability and Fiscal Oversight Committee report on **SB 435** to reflect the adoption of a Senate Committee Substitute.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1**, **HA 1** to **HA 2**, **HA 2**, as amended, **HA 1** to **HA 3**, **HA 3**, as amended, and **HA 4** to **SS No. 2** for **SCS** for **SB 11** and grants the Senate a conference thereon.

Also, the Speaker has appointed the following Conference Committee to act with a like committee from the Senate. Representatives: Rowden, Barnes, Hoskins, McManus and Carpenter.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 34**.

HOUSE CONCURRENT RESOLUTION NO. 34

WHEREAS, all state governments and the federal government endorse educational excellence and student achievement as essential to a democratic society; and

WHEREAS, the Congress of the United States enacted Title VIII of the Elementary and Secondary Education Act of 1965 (Impact Aid law) in order to provide funding for local school districts that have lower property tax revenues due to tax-exempt federal lands; and

WHEREAS, the Congress of the United States enacted the Secure Rural Schools and Community Self-Determination Act of 2000 (Secure Rural Schools Act) in order to supplement funding for schools; and

WHEREAS, funding under the Impact Aid law and the Secure Rural Schools Act is critical for local school districts, which rely on state and local property taxes as a significant source of their funding; and

WHEREAS, tax-exempt federal lands can greatly reduce the state and local property taxes that support local school districts; and

WHEREAS, funding to local school districts in Missouri under the Secure Rural Schools Act totaled over three million dollars for the 2013-14 school year; and

WHEREAS, the Secure Rural Schools program expired on September 30, 2014, in the absence of reauthorization of the Secure Rural Schools Act, resulting in significantly decreased payments to states; and

WHEREAS, the 114th Congress has not yet ensured continuation of funding under the Impact Aid law by reauthorization of the Elementary and Secondary Education Act; and

WHEREAS, the children of Missouri should not suffer due to federal tax immunities that are distributed in a random and unequal fashion among the local school districts in Missouri; and

WHEREAS, state and local school districts should retain sufficient educational funding to achieve both federal and state educational goals and mandates; and

WHEREAS, a sudden loss of funds would significantly damage the ability of state and local school districts to achieve both federal and state educational goals and mandates:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First

Regular Session, the Senate concurring therein, hereby encourage the 114th Congress of the United States to reinstate the Secure Rural Schools program at its previous funding levels and maintain funding under the Impact Aid law; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 210**, entitled:

An Act to repeal sections 174.709, 174.712, and 178.862, RSMo, and to enact in lieu thereof three new sections relating to community college police officers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 511**, entitled:

An Act to repeal section 72.401, RSMo, and to enact in lieu thereof one new section relating to annexation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 712**, entitled:

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to hospital patient status notice requirements.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Nasheed moved that **SB 155** be taken up for perfection, which motion prevailed.

On motion of Senator Nasheed, **SB 155** was declared perfected and ordered printed.

THIRD READING OF SENATE BILLS

SCS for **SB 210**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 210

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof seven new sections relating to health care providers.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **SCS** for **SB 210** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

CONCURRENT RESOLUTIONS

SCR 14, introduced by Senator Schaefer, entitled:

Relating to a Ride to Work Day in Missouri.

Was taken up.

On motion of Senator Schaefer, **SCR 14** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the concurrent resolution passed.

On motion of Senator Schaefer, title to the concurrent resolution was agreed to.

Senator Schaefer moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

THIRD READING OF SENATE BILLS

SCS for **SB 230**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 230

An Act to repeal section 208.670, RSMo, and to enact in lieu thereof six new sections relating to telehealth services.

Was taken up by Senator Romine.

On motion of Senator Romine, **SCS** for **SB 230** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 278**, introduced by Senator Schatz, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 278

An Act to repeal sections 301.010, 301.067, 301.130, 301.140, 301.190, 301.196, 301.227, and 407.581, RSMo, and to enact in lieu thereof nine new sections relating to motor vehicles.

Was taken up.

On motion of Senator Schatz, **SS** for **SCS** for **SB 278** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 197**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 197

An Act to repeal section 208.952, RSMo, and to enact in lieu thereof one new section relating to the joint committee on MO HealthNet.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS** for **SB 197** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 20, introduced by Senator Kraus, entitled:

An Act to repeal section 144.054, RSMo, and to enact in lieu thereof one new section relating to a sales tax exemption for commercial laundries.

Was taken up.

On motion of Senator Kraus, **SB 20** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Sifton	Silvey	Wallingford	Wasson	Wieland—31	

NAYS—Senators

Keaveny	Schupp	Walsh—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

CONCURRENT RESOLUTIONS

SCR 15, introduced by Senator Riddle, entitled:

Relating to the designation of March as women veterans' month.

Was taken up.

On motion of Senator Riddle, **SCR 15** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the concurrent resolution passed.

On motion of Senator Riddle, title to the concurrent resolution was agreed to.

Senator Riddle moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Hegeman moved that **SCR 17** be taken up for adoption, which motion prevailed.

On motion of Senator Hegeman, **SCR 17** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Emery moved that **SCR 20** be taken up for adoption, which motion prevailed.

On motion of Senator Emery, **SCR 20** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—28				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	LeVota	Schupp—6		
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Schaefer moved that **SCR 22** be taken up for adoption, which motion prevailed.

On motion of Senator Schaefer, **SCR 22** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson
Wieland—25							

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	LeVota	Nasheed	Schupp	Sifton
Walsh—9							

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Munzlinger moved that **SCR 25** be taken up for adoption, which motion prevailed.

Senator Munzlinger offered **SS** for **SCR 25**:

SENATE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 25

Whereas, recognizing that chronic wasting disease has impacted the state and threatens Missouri deer, deer hunters, wildlife enthusiasts, and landowners; and

Whereas, a disproportionate negative impact on certain areas of the state that depend on a healthy and vibrant deer population has been felt; and

Whereas, Missouri jobs, businesses, and communities are strongly supported by the economic activity related to hunting; and

Whereas, encouraging a safe, healthy, and lucrative hunting industry in Missouri will give rise to good paying jobs, significant economic development, and profitable recreational activity:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create the Missouri Wildlife Revitalization Task Force; and

Be It Further Resolved that the mission of the task force shall be to fully consider:

- (1) Establishing a wildlife focus area in certain areas of the state that have been most negatively impacted by chronic wasting disease;
- (2) Ways to revitalize hunting and outdoor activities in certain areas of the state after a chronic wasting disease containment plan has been initiated;
- (3) Legislative proposals including rules and regulations necessary for implementation relating to the promotion of the hunting industry;
- (4) The effects of chronic wasting disease on certain areas in Missouri, including counties that have experienced confirmed cases of the disease, and how the enactment or establishment of certain proposals may curtail such effects; and

Be It Further Resolved that the task force be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

Be It Further Resolved that the task force shall consist of all of the following members:

- (1) One member of the General Assembly of the majority party appointed by the President Pro Tempore of the Senate to serve as the chair of the task force, with preference given to General Assembly members serving the affected area;
- (2) One member of the General Assembly of the majority party and one member of the General Assembly of the minority party appointed by the President Pro Tempore of the Senate to serve as members of the task force, with preference given to General Assembly members serving the affected area; and
- (3) One member of the General Assembly of the majority party appointed by the Speaker of the House of representatives, with preference given to a General Assembly member serving the affected area, to serve as the vice-chair and secretary of the task force, and who will provide an agenda and report minutes of the task force; and
- (4) One member of the General Assembly of the majority party and one member of the General Assembly of the minority party appointed by the Speaker of the House of Representatives to serve as members of the task force, with preference given to a General Assembly member serving the affected area; and
- (5) One member from either Pheasants Forever or Quail Forever appointed by the President Pro Tempore of the Senate to serve as a member of the task force;
- (6) One member from National Wild Turkey Federation, Incorporated appointed by the President Pro Tempore of the Senate to serve as a member of the task force;

(7) One member from Whitetails Unlimited appointed by the Speaker of the House of Representatives to serve as a member of the task force;

(8) One member from the Conservation Federation of Missouri appointed by the Speaker of the House of Representatives to serve as a member of the task force;

(9) Two members owning land in an affected area appointed by the President Pro Tempore of the Senate to serve as members of the task force;

(10) Two members owning land in an affected area appointed by the Speaker of the House of Representatives to serve as members of the task force; and

Be It Further Resolved that the staff of Senate Research and House Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

Be It Further Resolved that the task force, its members, and any staff assigned to the committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the committee; and

Be It Further Resolved that the chair or vice-chair and secretary of the task force shall call an organizational meeting within fifteen days of the adoption of this resolution; and

Be It Further Resolved that the task force shall terminate by either a majority of members voting for termination, or by December 31, 2015, whichever occurs first; and

Be It Further Resolved that on the date of termination, the task force may deliver a report of findings and recommendations to the General Assembly and the Missouri Department of Conservation; and

Be It Further Resolved that this resolution does not amend any state law to which the Department of Conservation or the Department of Agriculture is subject, and shall be interpreted to be consistent with any requirements of such state or federal law; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Director of the Department of Conservation.

Senator Munzlinger moved that **SS** for **SCR 25** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCR 25**, as amended by the **SS**, was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Sater	Schaaf	Schaefer	Schatz	Schmitt
Sifton	Silvey	Wallingford	Wasson	Wieland—29			

NAYS—Senators

Holsman	Keaveny	Romine	Schupp	Walsh—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Dempsey moved that **SCR 26**, with **SCS** be taken up for adoption, which motion prevailed.

Senator Dempsey moved that **SCS** for **SCR 26** be adopted, which motion prevailed.

On motion of Senator Dempsey, **SCR 26** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
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Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Onder moved that **SCR 29** be taken up for adoption, which motion prevailed.

On motion of Senator Onder, **SCR 29** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators

Curls LeVota—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Kehoe moved that **SCR 30**, with **SCS** be taken up for adoption, which motion prevailed.

Senator Kehoe moved that **SCS** for **SCR 30** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SCR 30** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—None

Senator Kehoe assumed the Chair.

Senator Cunningham moved that **SCR 31** be taken up for adoption, which motion prevailed.

On motion of Senator Cunningham, **SCR 31** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wieland—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Parson Wasson—2

Vacancies—None

Senator Pearce assumed the Chair.

Senator Hegeman moved that **SCR 32** be taken up for adoption, which motion prevailed.

On motion of Senator Hegeman, **SCR 32** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wieland—31	

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators

Parson Wasson—2

Vacancies—None

Senator Wieland moved that **HCR 15** be taken up for adoption, which motion prevailed.

On motion of Senator Wieland, **HCR 15** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Keaveny	Kehoe
Kraus	LeVota	Libla	Munzlinger	Onder	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford
Walsh	Wieland—26						

NAYS—Senators

Chappelle-Nadal Curls Holsman Schupp Sifton—5

Absent—Senator Nasheed—1

Absent with leave—Senators

Parson Wasson—2

Vacancies—None

Senator Kehoe moved that **HCR 21** be taken up for adoption, which motion prevailed.

On motion of Senator Kehoe, **HCR 21** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Holsman	Kehoe
Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—29			

NAYS—Senators

Chappelle-Nadal Curls Keaveny Schupp—4

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—None

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following reports

Mr. President: Your Committee on Education, to which was referred **SB 366**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 299**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 430**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was

referred **SB 268**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 539**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 125**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 488**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 69**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 561**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 481**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 567**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, Senator Libla submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 145**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred

SB 354, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 314**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 463**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 420**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 151**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 476**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 225**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 92**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 373**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 371**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 317**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 474**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 155; SB 244; SB 389; SCS for SB 456; SCS for SB 445; and SB 524**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SB 389** to the Committee on Governmental Accountability and Fiscal Oversight.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS No. 2** for **SCS for SB 11**, as amended: Senators Richard, Cunningham, Onder, Keaveny and Walsh.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS for HCS for HB 2**. Representatives: Flanigan, Fitzpatrick, Bahr, Montecillo and McCann Beatty.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS for HCS for HB 3**. Representatives: Flanigan, Fitzpatrick, Lichtenegger, Webber and McCann Beatty.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS for HCS for HB 4**. Representatives: Flanigan, Fitzpatrick, Hough, LaFaver and McCann Beatty.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS for HCS for HB 5**. Representatives: Flanigan, Fitzpatrick, Ross, LaFaver and McCann Beatty.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 6**. Representatives: Flanigan, Fitzpatrick, Redmon, Gardner and McCann Beatty.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 7**. Representatives: Flanigan, Fitzpatrick, Hough, Webber and McCann Beatty.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 8**. Representatives: Flanigan, Fitzpatrick, Conway (104), Rizzo and McCann Beatty.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 9**. Representatives: Flanigan, Fitzpatrick, Conway (104), Rizzo and McCann Beatty.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 10**. Representatives: Flanigan, Fitzpatrick, Haefner, Kirkton and McCann Beatty.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 11**, as amended. Representatives: Flanigan, Fitzpatrick, Haefner, Kirkton and McCann Beatty.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 12**. Representatives: Flanigan, Fitzpatrick, Ross, LaFaver and McCann Beatty.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 13**. Representatives: Flanigan, Fitzpatrick, Ross, LaFaver and McCann Beatty.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 35** and **323**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to camping trailer license plates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 229**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to a Korea Defense Service Medal special license plate.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 380**, entitled:

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to the establishment of a career and technical education diploma.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1022**, entitled:

An Act to repeal section 379.470, RSMo, and to enact in lieu thereof one new section relating to authorized return of premiums paid by insureds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 410**, entitled:

An Act to repeal section 144.049, RSMo, and to enact in lieu thereof one new section relating to a sales tax holiday for school supplies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 882**, entitled:

An Act to amend chapter 261, RSMo, by adding thereto one new section relating to the agri-ready

county designation program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 319**, entitled:

An Act to repeal section 208.670, RSMo, and to enact in lieu thereof six new sections relating to telehealth services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 254**, entitled:

An Act to repeal section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, and to enact in lieu thereof two new sections relating to robbery, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1063**, entitled:

An Act to repeal section 8.010, RSMo, and to enact in lieu thereof two new sections relating to the state capitol complex commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1019**, entitled:

An Act to repeal sections 213.010, 213.040, 213.050, 213.055, 213.065, 213.070, 213.101, 213.111, and 287.780, RSMo, and to enact in lieu thereof ten new sections relating to unlawful discriminatory practices.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

MESSAGES FROM THE GOVERNOR

April 9, 2015

TO THE SECRETARY OF THE SENATE
98th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No.149 entitled:

AN ACT

To amend chapter 144, RSMo, by adding thereto one new section relating to tax incentives for data storage.

On April 9, 2015, I approved said House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 149.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

RESOLUTIONS

Senator Walsh offered Senate Resolution No. 756, regarding Willard F. Beason, Black Jack, which was adopted.

Senator Onder offered Senate Resolution No. 757, regarding Harold M. Hackney, Saint Peters, which was adopted.

Senator Onder offered Senate Resolution No. 758, regarding Richard Carl E. Reininger, Wentzville, which was adopted.

Senator Onder offered Senate Resolution No. 759, regarding Leonard James Moriarity, O’Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 760, regarding John James Carusa, O’Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 761, regarding Richard Charles Wisniewski, O’Fallon, which was adopted.

Senator Sater offered Senate Resolution No. 762, regarding Steve Huggins, Forsyth, which was adopted.

Senator Sater offered Senate Resolution No. 763, regarding Tabitha “Tabby” Owen, Branson, which was adopted.

Senator Sater offered Senate Resolution No. 764, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Everett Gross, Ridgedale, which was adopted.

Senator Sater offered Senate Resolution No. 765, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. David Manning, Mt. Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 766, regarding Emma Lander, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Wallingford introduced to the Senate, Chaperone Karen James; and representatives of Farm Bureau Youth Leadership, Bollinger County.

Senator Libla introduced to the Senate, Chaperones; and forty-six fourth grade students from

Caruthersville Elementary.

Senator Kehoe introduced to the Senate, his daughter, Claire Kehoe, Jefferson City.

Senator Kehoe introduced to the Senate, Sponsor Sandy Knipp; and Dylan Ash and Wyatt Hunziker, Farm Bureau Youth Leadership, Moniteau County.

Senator Parson introduced to the Senate, Chaperone Peggy Kenny; and Chandra Bettis, and Colby Charles, El Dorado Springs; Gabby Johnson, Mikayla Fox and Dante Norman, Stockton, representatives of Farm Bureau Youth Leadership, Cedar County.

Senator Hegeman introduced to the Senate, Alissa Hurst, Tarkio; Alyssa Beck, Fairfax; and Lee Harms, Tarkio.

Senator Emery introduced to the Senate, Farm Bureau Advisors Mary Fischer and Jason Dieckhoff; and Justin Frazee, John Scribner, McCrae Klinksick, Andrew Schlueter, Andrew Gilbert, Rachel Barry, Hunter Lovewell, Austin Moreland and Blake Moreland, Farm Bureau Youth Leadership, Bates and Cass Counties and Harrisonville.

Senator Riddle introduced to the Senate, Advisors Sean O'Brien, Chris Rankin and Stacey French; and Anthony Flood, Michele Norton, McIntyre Wilmes, Allison Fischer, Mandy Franklin, Courtney Bertels, Karissa Graves, Bryan Allen, Gavin Spore and Trevor Hoyt, Farm Bureau Youth Leadership, Lincoln and Audrain Counties.

Senator Wallingford introduced to the Senate, Advisors Dale Steffans, Laura Nothdurft and Mike Graham; and representatives of Farm Bureau Youth Leadership, Cape Girardeau and Madison Counties.

Senator Pearce introduced to the Senate, Advisor Cara Riekhof; and Abby Bertz, Allison Bertz, Dillion Mcvey, Sabrina Templeton, Phoebe Tieman and Danny Mahoney, Farm Bureau Youth Leadership, Lafayette County.

Senator Romine introduced to the Senate, Kelly Sulkowski, Doug Basler, Michael Turner, Kendall Sulkowski, Jessica Boyer, Regan Zerwig and Freda Smith, Farm Bureau Youth Leadership, St. Genevieve.

Senator Parson introduced to the Senate, Chaperone Paula Rodabaugh; and Rachael Moore, Reba Colin, Emily Meeker, Cassie Wilkins, Gavin Coleman and Garrett Watson, Farm Bureau Youth Leadership, St. Clair County.

Senator Chappelle-Nadal introduced to the Senate, Cora Drew Walker, University City.

Senator Schatz introduced to the Senate, Advisors Cheri and Steve Scheer; and Abby Keeven, Mitchell Bevfoden, Kylie Lamke, Julie Brinker, Joe Leuchtefield and Rick Tobben, Farm Bureau Youth Leadership, Franklin County.

Senator Schmitt introduced to the Senate, teacher Kim Drury; and fourth grade students from St. Peters Elementary, Kirkwood; and Mackenzie Lorms, J.D. Suarez, Kate Stoeckel and Will Riggan were made honorary pages.

Senator Parson introduced to the Senate, Caleb Ball; his parents, Don & Kelly; and brother Stephen, Phillipsburg.

Senator Cunningham introduced to the Senate, Coordinator Scott Long; and Ashleigh Nye, Cody Spencer, Jared Luerksen, Rebeca Elliott, and Cody Neal, Farm Bureau Youth Leadership, Cabool.

Senator Cunningham introduced to the Senate, Coordinator Scott Long; and Maykayla Kock and Zach Adey, Farm Bureau Youth Leadership, Houston.

Senator Cunningham introduced to the Senate, Advisor Brenda Leap; Chaperone Gary Don Letterman; and Alexa Hankins, Haley Venolia, Shyanah Mings and Shawnae Kurtenbach, Farm Bureau Youth Leadership, Niangua.

Senator Cunningham introduced to the Senate, Coordinator Zach Barton; and Morgan Phipps and Josh Orton, Farm Bureau Youth Leadership, Oregon County.

Senator Cunningham introduced to the Senate, Advisor Wes Davis; and Lacy Diel, Trevor McChesney and Elizabeth Tucker, Farm Bureau Youth Leadership, Ava.

Senator Richard introduced to the Senate, Chaperones Barbara Hunter and Mark Keenen; and Darci Musser, Brandon Chapman, Ashleigh Alumbaugh, Anna Brightwell and Megan Gillbreath, Farm Bureau Youth Leadership, Jasper County.

Senator Pearce introduced to the Senate, Advisors Don Honeycutt and Joe Robinson; and Brandon Edney, Collin Inks, Dakota Boss, Caitlynn Payton and Javier Lozano, Farm Bureau Youth Leadership, Ray County.

Senator Holsman introduced to the Senate, Michael O'Dell, Kansas City.

On behalf of Senator Pearce, the President introduced to the Senate, Advisor Darren Farmer; and Sarah Olson, Katie Owen, Sydney Ernat, Lyndi Heldenbrand, Erik Johnson and Parker Smith, Farm Bureau Youth Leadership, Caldwell County.

Senator Wallingford introduced to the Senate, Chaperone Brian Koenig; and representatives of Farm Bureau Youth Leadership, Perry County.

Senator Kehoe introduced to the Senate, Chaperones Janice Martin and Cathy Thompson; and Lindsey Thompson, Kassidy Farrow, Morgan Korner, Casidy Graham, and Olivia Diefenbach, Farm Bureau Youth Leadership, Miller County.

Senator Pearce introduced to the Senate, FFA County President Ian Davidson; and Bethany Miller, Leah Elliott, Kara Berrey and Drew Davis, Farm Bureau Youth Leadership, Carroll County.

Senator Kehoe introduced to the Senate, Advisors Doug Ridder and Nora Dodd; and Carolyn Winthorst, Austin Gerlemann, Dana Heart, Kyle Walker, McKenzie Chasteen, Justin Schneider and Jacob Bockting, Farm Bureau Youth Leadership, Gasconade County.

Senator Riddle introduced to the Senate, Advisor Dan Burkemper; and Jacob Able, Brendan Wheeler, Nick Banze, Caleb Burns, Violet Brunkhorst and Sarah Mueller, Farm Bureau Youth Leadership, Warren County.

Senator Wallingford introduced to the Senate, Ruth Dockins and Lana Johnson, Cape Girardeau.

Senator Romine introduced to the Senate, Chaperones Tony and Jan Harbison; and Silas Cofer, Jordan Watts, Michelle Browsers and Lena McGill, Farm Bureau Youth Leadership, Iron County.

Senator Kehoe introduced to the Senate, Alicia Corson-Peters, Ben Luebbering, Ryan Bock, Jacob Brundick and Hayden Hurst, Fatima High School, Westphalia.

Senator Riddle introduced to the Senate, Advisor, Luella Gregory; and representatives of Farm Bureau

Youth Leadership, Montgomery County.

Senator Libla introduced to the Senate, Agriculture teachers and representatives of Farm Bureau Youth Leadership, Wayne County.

Senator Kehoe introduced to the Senate, Advisor Jennifer Hawkins; and representatives of Farm Bureau Youth Leadership, Linn and Maries Counties.

Senator Cunningham introduced to the Senate, Advisor Stan Coday; and Justin Campbell, Connor McLennan, Courtney Kirkland and Michael McDowell, Farm Bureau Youth Leadership, Mansfield.

Senator Cunningham introduced to the Senate, Advisor Doug Glenn; and Walker Ince, Dakota McClanahan and Gunner Dugger, Farm Bureau Youth Leadership, Hartville.

Senator Cunningham introduced to the Senate, Advisor Chris Sinning; and Weston Chadwell, Colten Watts, Levi Mason and Max Malone, Farm Bureau Youth Leadership, Norwood.

Senator Schaefer introduced to the Senate, Dustin Stanton, Deanne and Jim Crocker, Austin Stanton, Sara Oliver and Andy Mott, Farm Bureau Youth Leadership, Boone County.

Senator Pearce introduced to the Senate, Chaperone Justin Mauss; and Tyler Garcia, Remington Cox, Joe Circo, McCormick Campbell, Aaron Baker, Tommy Thompson and Colby Reed, Farm Bureau Youth Leadership, Livingston County.

Senator Sater introduced to the Senate, Devon Blevins, Iris Wormington, Ryan Mareth and Larry Long, Farm Bureau Youth Leadership, Monett.

Senator Hegeman introduced to the Senate, representatives of Farm Bureau Youth Leadership, Harrison and Daviess Counties.

Senator Pearce introduced to the Senate, teacher Merle Dierking; and eighth grade students from Trinity Lutheran School, Alma.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, April 13, 2015.

SENATE CALENDAR

FIFTIETH DAY—MONDAY, APRIL 13, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 210-Conway (104)
HB 511-Mathews
HCS for HB 712
HCS for HBs 35 & 323
HB 229-McCaherty

HCS for HB 380
HB 1022-Gosen
HB 410-Kelley
HCS for HB 882
HCS for HB 319

HB 254-Crawford
HCS for HB 1063

HCS for HB 1019

THIRD READING OF SENATE BILLS

- | | |
|---|---|
| 1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight) | 5. SB 155-Nasheed |
| 2. SCS for SB 56-Munzlinger
(In Fiscal Oversight) | 6. SB 244-Schmitt |
| 3. SS for SB 201-Dixon
(In Fiscal Oversight) | 7. SB 389-Silvey and Walsh
(In Fiscal Oversight) |
| 4. SB 203-Dixon (In Fiscal Oversight) | 8. SCS for SB 456-Kehoe |
| | 9. SCS for SB 445-Romine |
| | 10. SB 524-Cunningham |

SENATE BILLS FOR PERFECTION

- | | |
|-------------------------------|-----------------------------------|
| 1. SB 433-Dixon and Dempsey | 26. SB 305-Onder |
| 2. SB 328-Schupp, with SCS | 27. SB 369-Pearce |
| 3. SB 540-Libla | 28. SB 435-Walsh, with SCS |
| 4. SJR 12-Onder, with SCS | 29. SB 232-Kehoe, with SCS |
| 5. SB 365-Schmitt | 30. SB 366-Schmitt |
| 6. SB 334-Nasheed | 31. SB 299-Pearce |
| 7. SB 401-Schmitt and Richard | 32. SB 430-Curls |
| 8. SB 339-Munzlinger | 33. SB 268-Pearce, with SCS |
| 9. SB 87-Emery, with SCS | 34. SB 539-Brown, with SCS |
| 10. SB 53-Schaaf | 35. SB 488-Cunningham |
| 11. SB 55-Munzlinger | 36. SB 69-LeVota, with SCS |
| 12. SB 500-Riddle | 37. SB 561-Wasson |
| 13. SB 469-Munzlinger | 38. SB 481-Onder, with SCS |
| 14. SB 400-Onder | 39. SB 567-Chappelle-Nadal, et al |
| 15. SB 416-Wasson | 40. SB 145-Pearce, with SCS |
| 16. SB 457-Sater | 41. SB 354-Sater, with SCS |
| 17. SB 517-Wasson, with SCS | 42. SB 314-Wallingford |
| 18. SB 200-Dixon | 43. SB 463-Dixon |
| 19. SB 91-Dixon, with SCS | 44. SB 420-Schmitt |
| 20. SB 112-Dixon, with SCS | 45. SB 151-Sater |
| 21. SB 321-Hegeman, with SCS | 46. SB 476-Kehoe |
| 22. SB 304-Keaveny, with SCS | 47. SB 225-Romine, with SCS |
| 23. SB 141-Parson | 48. SB 373-Libla |
| 24. SB 352-Schaefer | 49. SB 371-Munzlinger |
| 25. SB 377-Schatz | 50. SB 317-Brown |

51. SB 474-Wallingford

HOUSE BILLS ON THIRD READING

HCS for HB 42, with SCS (Pearce)
HB 150-Fitzpatrick (Kehoe)

HB 92-Miller

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)
SB 59-Dixon
SB 80-Dixon, with SCS
SB 142-Romine, with SCS & SS#2 for SCS
(pending)
SB 159-Parson
SB 167-Schaaf, with SCS
SB 190-Curls, with SCS
SB 199-Dixon, et al, with SCS
SB 227-Emery, with SS (pending)
SB 233-Kehoe, with SCS & SA 2 (pending)

SB 302-Riddle, with SCS (pending)
SBs 331 & 21-Libla, with SCS & SS for
SCS (pending)
SB 358-Kehoe
SB 372-Keaveny, with SCS (pending)
SB 386-Keaveny, with SS & SA 1 (pending)
SB 424-Pearce, with SA 1 (pending)
SB 452-Schmitt, et al, with SA 1 & point
of order (pending)
SB 475-Dempsey
SJR 7-Richard and Wallingford

CONSENT CALENDAR

House Bills

Reported 4/9

HB 125-Black

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1,
HA 2, as amended, HA 3, as
amended & HA 4

SS#2 for SCS for SB 24-Sater, with HCS,
as amended
HCS for HB 2, with SCS (Schaefer)

HCS for HB 3, with SCS (Schaefer)
HCS for HB 4, with SCS (Schaefer)
HCS for HB 5, with SCS (Schaefer)
HCS for HB 6, with SCS (Schaefer)
HCS for HB 7, with SCS (Schaefer)
HCS for HB 8, with SCS (Schaefer)

HCS for HB 9, with SCS (Schaefer)
HCS for HB 10, with SCS (Schaefer)
HCS for HB 11, with SCS, as amended
(Schaefer)
HCS for HB 12, with SS for SCS (Schaefer)
HCS for HB 13, with SCS (Schaefer)

RESOLUTIONS

Reported from Committee

SCR 13-Curls

SCRs 21, 19 & 23-Dixon, et al, with SCS

To be Referred

SCR 37-Wieland

HCR 34-Rowland

✓

Journal of the Senate

FIRST REGULAR SESSION

FIFTIETH DAY—MONDAY, APRIL 13, 2015

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“He covers the heavens with clouds, prepares rain for the earth, and makes grass grow on the hills.” (Psalm 148:8)

Creator God, we receive Your rain with thanksgiving for its waters to the earth and its nourishment to the land, so all we need grows and we are the benefactors of Your gracious gifts to us. We realize that it takes a little sun when the rain ends to create a rainbow and the sign of Your promise and presence is seen so we may be confident in Your love of us and desire for us to be fruitful and helpful to others. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 9, 2015 was read and approved.

Photographers from Rural Missouri were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Emery offered Senate Resolution No. 767, regarding Mayor Keith Divine, which was adopted.

Senator Schupp offered Senate Resolution No. 768, regarding Jackson Frederick George Grumke, Bridgeton, which was adopted.

Senator Schupp offered Senate Resolution No. 769, regarding Jeffrey Stiffman, which was adopted.

Senator Kehoe offered Senate Resolution No. 770, regarding Mallorie Smith, Jefferson City, which was adopted.

Senator Kraus offered Senate Resolution No. 771, regarding Amy Krinke, which was adopted.

Senator Nasheed offered Senate Resolution No. 772, regarding the One Hundredth Birthday of William A. Jackson, St. Louis, which was adopted.

Senator Hegeman offered Senate Resolution No. 773, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Ronnie Kerns, Savannah, which was adopted.

Senator Hegeman offered Senate Resolution No. 774, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dennis Rosenbohm, Rock Port, which was adopted.

Senator Hegeman offered Senate Resolution No. 775, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Ray Hammett, Trenton, which was adopted.

Senator Hegeman offered Senate Resolution No. 776, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Paul Roger Messner, Graham, which was adopted.

Senator Keaveny offered Senate Resolution No. 777, regarding John Schulte, which was adopted.

Senator Schaefer offered Senate Resolution No. 778, regarding the One Hundredth Birthday of Ralph Shower, St. Louis, which was adopted.

Senator Romine offered Senate Resolution No. 779, regarding Elizabeth Dyer, Blackwell, which was adopted.

Senator Romine offered Senate Resolution No. 780, regarding Vivian Louise Valley, Potosi, which was adopted.

Senator Romine offered Senate Resolution No. 781, regarding Cheryl Ann Belt, Cadet, which was adopted.

Senator Romine offered Senate Resolution No. 782, regarding Donna L. McGuffey, Blackwell, which was adopted.

Senator Romine offered Senate Resolution No. 783, regarding Dr. Glenda Milner, Mineral Point, which was adopted.

Senator Romine offered Senate Resolution No. 784, regarding Dr. Gary W. Milner, Mineral Point, which was adopted.

Senator Romine offered Senate Resolution No. 785, regarding Susan Schaefer, Park Hills, which was adopted.

Senator Hegeman offered Senate Resolution No. 786, regarding Lieutenant Colonel Paul Robert Jones, Fairfax, which was adopted.

Senator Schaefer offered Senate Resolution No. 787, regarding the 2014-2015 Class 5 state champions Rock Bridge High School girls basketball program, which was adopted.

Senator Schupp offered Senate Resolution No. 788, regarding Kyla Gersten, Saint Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 789, regarding Abigail Miller, Saint Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 790, regarding Haley Abramson, Saint Louis, which was adopted.

Senator Sater offered Senate Resolution No. 791, regarding the Showboat Branson Belle, which was adopted.

Senator Sater offered Senate Resolution No. 792, regarding Patricia Henderson, Monett, which was adopted.

Senator Nasheed offered Senate Resolution No. 793, regarding the One Hundredth Birthday of Reverend Joel K. Davis, St. Louis, which was adopted.

Senator Parson offered Senate Resolution No. 794, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Carl Douglas Giles, Richland, which was adopted.

Senator Parson offered Senate Resolution No. 795, regarding the Fiftieth Wedding Anniversary of Dean and Carolyn Jett, Green Ridge, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended, for **HB 384** and has taken up and passed **SS** for **HB 384**, as amended.

Emergency clause defeated.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 272**, entitled:

An Act to repeal section 173.250, RSMo, and to enact in lieu thereof one new section relating to the higher education academic scholarship program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed Senator Silvey to replace Senator Kehoe on the conference committee on **SCS** for **HCS** for **HB 4**.

REFERRALS

President Pro Tem Dempsey referred **SB 155** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **SCR 37** and **HCR 34** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

THIRD READING OF SENATE BILLS

SB 244, introduced by Senator Schmitt, entitled:

An Act to amend chapter 409, RSMo, by adding thereto seven new sections relating to the financial exploitation of certain elderly and disabled individuals.

Was taken up.

Senator Kraus assumed the Chair.

On motion of Senator Schmitt, **SB 244** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 456**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 456

An Act to repeal sections 301.140, 301.190, and 407.581, RSMo, and to enact in lieu thereof three new sections relating to the ownership of motor vehicles.

Was taken up by Senator Kehoe.

On motion of Senator Kehoe, **SCS** for **SB 456** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf

Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 445**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 445

An Act to amend chapter 643, RSMo, by adding thereto one new section relating to sulfur dioxide ambient air quality monitoring.

Was taken up by Senator Romine.

On motion of Senator Romine, **SCS** for **SB 445** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—33							

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 524, introduced by Senator Cunningham, entitled:

An Act to repeal sections 362.111, 369.159, and 370.073, RSMo, and to enact in lieu thereof three new sections relating to contractual fees charged by certain financial institutions.

Was taken up.

On motion of Senator Cunningham, **SB 524** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Curls moved that **SB 190**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 190**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 190

An Act to repeal section 92.402, RSMo, and to enact in lieu thereof one new section relating to public mass transportation sales taxes.

Was taken up.

Senator Curls moved that **SCS** for **SB 190** be adopted, which motion prevailed.

On motion of Senator Curls, **SCS** for **SB 190** was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

HCS for **HB 42**, with **SCS**, entitled:

An Act to repeal sections 160.011, 162.081, 162.1250, 163.036, 167.121, 167.131, 167.241, and

177.031, RSMo, and to enact in lieu thereof twenty-five new sections relating to elementary and secondary education, with an emergency clause.

Was taken up by Senator Pearce.

SCS for HCS for **HB 42**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 42

An Act to repeal sections 160.011, 160.400, 160.403, 160.405, 160.410, 160.415, 160.417, 160.425, 162.081, 162.1250, 163.036, 167.121, 167.131, 171.031, and 210.861, RSMo, and to enact in lieu thereof forty-four new sections relating to elementary and secondary education, with an emergency clause.

Was taken up.

Senator Pearce moved that **SCS** for **HCS** for **HB 42** be adopted.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 42, Page 53, Section 167.642, Line 4, by striking the following: “has not”; and further amend lines 5-6, by striking said lines and inserting in lieu thereof the following: “**is two years or more below grade level as measured by quantifiable student performance data designated by the local district to satisfy the requirements of this section. The term “quantifiable student performance data” shall be as defined in subsection 2 of section 161.096.**”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Dixon assumed the Chair.

Senator Pearce offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 42, Page 62, Section 167.826, Line 160, by inserting at the end of said line the following: “**For each of the first two full school years that a receiving district or a receiving charter school charges a rate of tuition that is seventy percent or less of the per-pupil cost of maintaining the sending district’s grade level grouping as calculated under subdivision (1) of this subsection and accepts a minimum of twenty-five transfer students under this section, if the aggregate scores for student growth of all transfer students in the receiving district or receiving charter school meet or exceed targets established in the state accountability system, the receiving district or charter school shall earn additional credit in academic achievement on its annual performance report. The department of elementary and secondary education shall promulgate an administrative rule to implement the provisions of this subdivision. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held**

unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section, shall be invalid and void.”.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 42, Page 1, In the Title, Line 3, by inserting immediately after “162.081,” the following: “162.471, 162.481, 162.491,”; and further amend line 4, by inserting immediately after “RSMo,” the following: “and sections 162.025, 162.481 and 162.491 as enacted by senate substitute for senate committee substitute for house committee substitute no. 2 for house bill no. 63, ninety-eighth general assembly, first regular session,”; and further amend said line, by striking “forty-four” and inserting in lieu thereof the following: “forty-eight”; and

Further amend said bill and page, section A, line 2, by inserting immediately after “162.081,” the following: “162.471, 162.481, 162.491,”; and further amend line 3, by inserting immediately after “RSMo,” the following: “and sections 162.025, 162.481 and 162.491 as enacted by senate substitute for senate committee substitute for house committee substitute no. 2 for house bill no. 63, ninety-eighth general assembly, first regular session,”; and further amend said line, by striking “forty-four” and inserting in lieu thereof the following: “forty-eight”; and further amend line 5, by inserting immediately after “160.425,” the following: “160.671,”; and further amend said line, by inserting immediately after “162.081,” the following: “162.471, 162.481, 162.491,”; and

Further amend said bill, page 34, section 160.425, line 78, by inserting immediately after said line the following:

“160.671. 1. A school board member of any urban school district located in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat may be removed by the voters in a recall election. Proceedings may be commenced for the recall of any such member by the filing of a notice of intention to circulate a recall petition under this section.

2. The notice of intention to circulate a recall petition shall be served personally, or by certified mail, on the board member sought to be recalled. A copy thereof shall be filed, along with an affidavit of the time and manner of service, with the election authority, as defined in chapter 115 and with the secretary of the school board. A separate notice shall be filed for each board member sought to be recalled and shall contain all of the following:

(1) The name of the board member sought to be recalled;

(2) A statement, not exceeding two hundred words in length, of the reasons for the proposed recall; and

(3) The names and business or residential addresses of at least one but not more than five proponents of the recall who are registered voters in the district.

3. Within seven days after the filing of the notice of intention, the board member may file with the election authority and the secretary of the school board a statement, not exceeding two hundred words in length, which may include an answer to the statement of the proponents. If a statement is

filed, the board member shall also serve a copy of it, personally or by certified mail, on one of the proponents named in the notice of intention. The statement is intended solely to be used for the information of the voters. No insufficiency in form or substance of such statements shall affect the validity of the election proceedings.

4. Before any signature may be affixed to a recall petition, the petition is required to bear all of the following:

(1) A request that an election be called to elect a successor to the board member at the next school board election;

(2) A copy of the notice of intention, including a general statement of the grounds for which removal is sought;

(3) The statement of the board member sought to be recalled, if any exists. If the board member has not filed a statement, the petition shall so state; and

(4) A place for each signer to affix his or her signature, printed name, and residential address, including any address in a city, town, village, or unincorporated community.

5. Each section of the petition, when submitted to the election authority, shall have attached to it an affidavit signed by the person circulating such section of the petition, setting forth all of the following:

(1) The printed name of the affiant;

(2) The residential address of the affiant;

(3) That the affiant circulated that section of the petition and saw the appended signatures be written;

(4) That according to the best information and belief of the affiant, each signature is the genuine signature of the person whose name it purports to be;

(5) That the affiant is a registered voter in the school district; and

(6) The dates between which all of the signatures to the petition were obtained.

6. A recall petition shall be filed with the election authority and secretary of the school board not more than one hundred eighty days after the filing of the notice of intention.

7. The qualified signatures of at least three hundred registered voters shall be required for the submission of a petition.

8. Within thirty days after the date of filing the petition, the election authority shall examine and ascertain whether the petition is signed by the requisite number of voters. The election authority shall file with the petition a certificate showing the results of the examination. The election authority shall give the proponents a copy of the certificate upon their request.

9. If the election authority certifies the petition to be insufficient, it may be supplemented within ten days of the date of certification by filing additional petition sections containing all of the information required by this section. Within ten days after the supplemental copies are filed, the election authority shall file with them a certificate stating whether or not the petition as supplemented is sufficient.

10. If the election authority finds the signatures on the petition, together with the supplementary petition sections, if any, to be sufficient, it shall submit its certificate as to the sufficiency of the petition to the school board prior to its next meeting. The certificate shall contain the following:

- (1) The name of the member whose recall is sought;**
- (2) A copy of the petition with at least three hundred signatures;**
- (3) The total number of signatures on the petition; and**
- (4) The number of valid signatures on the petition.**

11. Following the school board's receipt of the certificate, the election authority shall order an election to be held on the next election day as specified in section 115.123 but the election shall be held not less than forty-five days from the date the school board receives the petition.

12. At any time prior to fifty days before the election, the member sought to be recalled may offer his or her resignation. If his or her resignation is offered, the recall question shall be removed from the ballot and the office declared vacant. At such time, the vacancy shall be filled as provided in section 162.471, except that the member who resigned shall not fill the vacancy.

13. If a majority of the voters vote in favor of retaining the member, the member shall remain in office and shall not be subject to another recall election during his or her term of office. If a majority of voters vote to remove the member, his or her successor shall be chosen by the county commission of any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat as provided in section 162.471.

14. The provisions of this section shall expire on December 31, 2021.”; and

Further amend said bill, page 42, section 162.081, line 148, by inserting immediately after said line the following:

“162.471. **1.** The government and control of an urban school district is vested in a board of seven directors. Each director shall be a voter of the district who has resided within this state for one year next preceding his election or appointment and who is at least twenty-four years of age. All directors, except as otherwise provided in section 162.481 and section 162.492, hold their offices for six years and until their successors are duly elected and qualified. All vacancies occurring in the board, except as provided in section 162.492 **and in subsection 2 of this section**, shall be filled by appointment by the board as soon as practicable, and the person appointed shall hold his office until the next school board election, when his successor shall be elected for the remainder of the unexpired term. The power of the board to perform any official duty during the existence of a vacancy continues unimpaired thereby.

2. All vacancies occurring in the school board of any urban school district located in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat shall be filled by appointment of the county commission of a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat. If the vacancy occurred because of a recall under section 160.671, the member who was recalled shall not fill the vacancy. The person appointed by the

county commission shall hold office until the next school board election, when his or her successor shall be elected for the remainder of the unexpired term.

162.481. 1. Except as otherwise provided in this section **and in section 162.492**, all elections of school directors in urban **school** districts shall be held biennially at the same times and places as municipal elections.

2. [In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3.] Except as otherwise provided in subsections **3**, **4**, and **5** of this section, hereafter when a seven-director district becomes an urban **school** district, the directors of the prior seven-director district shall continue as directors of the urban **school** district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban **school** district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban **school** district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban **school** district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban **school** district have been elected under this subsection, their successors shall be elected for terms of six years.

[4.] **3.** In any school district in [any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any school district which becomes an urban school district by reason of the 2000 federal decennial census] **which a majority of the district is located in any home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants**, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

4. For any school district which becomes an urban school district by reason of the 2000 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until

their successors are duly elected and qualified for all directors elected on and after August 28, 2001.

5. In any school district in any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants which becomes an urban school district by reason of the 2010 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after April 2, 2012.

6. In any urban school district in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and upon expiration of any term after August 28, 2015, the term of office shall be for three years and until their successors are duly elected and qualified.

162.491. 1. Directors for urban school districts, other than those districts containing the greater part of a city of over one hundred thirty thousand inhabitants, may be nominated by petition to be filed with the secretary of the board and signed by a number of voters in the district equal to ten percent of the total number of votes cast for the director receiving the highest number of votes cast at the next preceding biennial election, **except as provided in subsection 4 of this section.**

2. This section shall not be construed as providing the sole method of nominating candidates for the office of school director in urban districts which do not contain the greater part of a city of over three hundred thousand inhabitants.

3. A director for any urban school district containing a city of greater than one hundred thirty thousand inhabitants and less than three hundred thousand inhabitants may be nominated as an independent candidate by filing with the secretary of the board a petition signed by five hundred registered voters of such school district.

4. In any urban school district located in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, a candidate for director shall file a declaration of candidacy with the secretary of the board and shall not be required to submit a petition.”; and

Further amend said bill, page 88, section 2, line 4, by inserting immediately after said line the following:

“[162.025. No person shall be a candidate for a member or director of the school board in any district in this state if such person has previously been employed by the district as the district’s superintendent.]

[162.481. 1. Except as otherwise provided in this section **and in section 162.492**, all elections of school directors in urban **school** districts shall be held biennially at the same times and places as municipal elections.

2. [In any urban district which includes all or the major part of a city which first obtained a population of more than seventy-five thousand inhabitants by reason of the 1960 federal decennial census, elections of directors shall be held on municipal election days of even-numbered years. The

directors of the prior district shall continue as directors of the urban district until their successors are elected as herein provided. On the first Tuesday in April, 1964, four directors shall be elected, two for terms of two years to succeed the two directors of the prior district who were elected in 1960 and two for terms of six years to succeed the two directors of the prior district who were elected in 1961. The successors of these directors shall be elected for terms of six years. On the first Tuesday in April, 1968, two directors shall be elected for terms to commence on November 5, 1968, and to terminate on the first Tuesday in April, 1974, when their successors shall be elected for terms of six years. No director shall serve more than two consecutive six-year terms after October 13, 1963.

3.] Except as otherwise provided in subsections 3, 4, and 5 of this section, hereafter when a seven-director district becomes an urban **school** district, the directors of the prior seven-director district shall continue as directors of the urban **school** district until the expiration of the terms for which they were elected and until their successors are elected as provided in this subsection. The first biennial school election for directors shall be held in the urban **school** district at the time provided in subsection 1 which is on the date of or subsequent to the expiration of the terms of the directors of the prior district which are first to expire, and directors shall be elected to succeed the directors of the prior district whose terms have expired. If the terms of two directors only have expired, the directors elected at the first biennial school election in the urban **school** district shall be elected for terms of six years. If the terms of four directors have expired, two directors shall be elected for terms of six years and two shall be elected for terms of four years. At the next succeeding biennial election held in the urban district, successors for the remaining directors of the prior seven-director district shall be elected. If only two directors are to be elected they shall be elected for terms of six years each. If four directors are to be elected, two shall be elected for terms of six years and two shall be elected for terms of two years. After seven directors of the urban district have been elected under this subsection, their successors shall be elected for terms of six years.

[4.] **3.** In any school district in [any city with a population of one hundred thousand or more inhabitants which is located within a county of the first classification that adjoins no other county of the first classification, or any school district which becomes an urban school district by reason of the 2000 federal decennial census] **which a majority of the district is located in any home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants**, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 1998.

4. For any school district which becomes an urban school district by reason of the 2000 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after August 28, 2001.

5. In any school district in any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants which becomes an urban school district by reason of the 2010 federal decennial census, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms

expire, and the terms shall be for three years and until their successors are duly elected and qualified for all directors elected on and after April 2, 2012.

6. In any urban school district in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, elections shall be held annually at the same times and places as general municipal elections for all years where one or more terms expire, and upon expiration of any term after August 28, 2015, the term of office shall be for three years and until their successors are duly elected and qualified.]

[162.491. 1. Directors for urban school districts, other than those districts containing the greater part of a city of over one hundred thirty thousand inhabitants, may be nominated by petition to be filed with the secretary of the board and signed by a number of voters in the district equal to ten percent of the total number of votes cast for the director receiving the highest number of votes cast at the next preceding biennial election, **except as provided in subsection 4 of this section.**

2. This section shall not be construed as providing the sole method of nominating candidates for the office of school director in urban districts which do not contain the greater part of a city of over three hundred thousand inhabitants.

3. A director for any urban school district containing a city of greater than one hundred thirty thousand inhabitants and less than three hundred thousand inhabitants may be nominated as an independent candidate by filing with the secretary of the board a petition signed by five hundred registered voters of such school district.

4. In any urban school district located in a home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants, a candidate for director shall file a declaration of candidacy with the secretary of the board and shall not be required to submit a petition.].

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Holsman offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 42, Page 86, Section 1, Line 34, by inserting immediately after the word “operation” the following: “, **subject to any deeds of trust that secure any financing of improvements to the property**”.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

Senator Wasson offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 42, Page 49, Section 162.1313, Line 7, by inserting after all of said line the following:

“163.011. As used in this chapter unless the context requires otherwise:

(1) “Adjusted operating levy”, the sum of tax rates for the current year for teachers’ and incidental funds

for a school district as reported to the proper officer of each county pursuant to section 164.011;

(2) “Average daily attendance”, the quotient or the sum of the quotients obtained by dividing the total number of hours attended in a term by resident pupils between the ages of five and twenty-one by the actual number of hours school was in session in that term. To the average daily attendance of the following school term shall be added the full-time equivalent average daily attendance of summer school students. “Full-time equivalent average daily attendance of summer school students” shall be computed by dividing the total number of hours, except for physical education hours that do not count as credit toward graduation for students in grades nine, ten, eleven, and twelve, attended by all summer school pupils by the number of hours required in section 160.011 in the school term. For purposes of determining average daily attendance under this subdivision, the term “resident pupil” shall include all children between the ages of five and twenty-one who are residents of the school district and who are attending kindergarten through grade twelve in such district. If a child is attending school in a district other than the district of residence and the child’s parent is teaching in the school district or is a regular employee of the school district which the child is attending, then such child shall be considered a resident pupil of the school district which the child is attending for such period of time when the district of residence is not otherwise liable for tuition. Average daily attendance for students below the age of five years for which a school district may receive state aid based on such attendance shall be computed as regular school term attendance unless otherwise provided by law;

(3) “Current operating expenditures”:

(a) For the fiscal year 2007 calculation, “current operating expenditures” shall be calculated using data from fiscal year 2004 and shall be calculated as all expenditures for instruction and support services except capital outlay and debt service expenditures minus the revenue from federal categorical sources; food service; student activities; categorical payments for transportation costs pursuant to section 163.161; state reimbursements for early childhood special education; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the vocational education entitlement for the district, as provided for in section 167.332; and payments from other districts;

(b) In every fiscal year subsequent to fiscal year 2007, current operating expenditures shall be the amount in paragraph (a) of this subdivision plus any increases in state funding pursuant to sections 163.031 and 163.043 subsequent to fiscal year 2005, not to exceed five percent, per recalculation, of the state revenue received by a district in the 2004-05 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments for any district from the first preceding calculation of the state adequacy target. Beginning on July 1, 2010, current operating expenditures shall be the amount in paragraph (a) of this subdivision plus any increases in state funding pursuant to sections 163.031 and 163.043 subsequent to fiscal year 2005 received by a district in the 2004-05 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments for any district from the first preceding calculation of the state adequacy target; **provided that, when used to recalculate the state adequacy target as provided in subdivision (18) of this section, any increase in state funding attributable to an individual district shall be limited to two hundred percent of the aggregate percentage increase in state funding for all of the performance districts used in the same recalculation;**

(4) “District’s tax rate ceiling”, the highest tax rate ceiling in effect subsequent to the 1980 tax year or any subsequent year. Such tax rate ceiling shall not contain any tax levy for debt service;

(5) “Dollar-value modifier”, an index of the relative purchasing power of a dollar, calculated as one plus fifteen percent of the difference of the regional wage ratio minus one, provided that the dollar value modifier shall not be applied at a rate less than 1.0:

(a) “County wage per job”, the total county wage and salary disbursements divided by the total county wage and salary employment for each county and the City of St. Louis as reported by the Bureau of Economic Analysis of the United States Department of Commerce for the fourth year preceding the payment year;

(b) “Regional wage per job”:

a. The total Missouri wage and salary disbursements of the metropolitan area as defined by the Office of Management and Budget divided by the total Missouri metropolitan wage and salary employment for the metropolitan area for the county signified in the school district number or the City of St. Louis, as reported by the Bureau of Economic Analysis of the United States Department of Commerce for the fourth year preceding the payment year and recalculated upon every decennial census to incorporate counties that are newly added to the description of metropolitan areas; or if no such metropolitan area is established, then:

b. The total Missouri wage and salary disbursements of the micropolitan area as defined by the Office of Management and Budget divided by the total Missouri micropolitan wage and salary employment for the micropolitan area for the county signified in the school district number, as reported by the Bureau of Economic Analysis of the United States Department of Commerce for the fourth year preceding the payment year, if a micropolitan area for such county has been established and recalculated upon every decennial census to incorporate counties that are newly added to the description of micropolitan areas; or

c. If a county is not part of a metropolitan or micropolitan area as established by the Office of Management and Budget, then the county wage per job, as defined in paragraph (a) of this subdivision, shall be used for the school district, as signified by the school district number;

(c) “Regional wage ratio”, the ratio of the regional wage per job divided by the state median wage per job;

(d) “State median wage per job”, the fifty-eighth highest county wage per job;

(6) “Free and reduced lunch pupil count”, for school districts not eligible for and those that do not choose the USDA Community Eligibility Option, the number of pupils eligible for free and reduced lunch on the last Wednesday in January for the preceding school year who were enrolled as students of the district, as approved by the department in accordance with applicable federal regulations. For eligible school districts that choose the USDA Community Eligibility Option, the free and reduced lunch pupil count shall be the percentage of free and reduced lunch students calculated as eligible on the last Wednesday in January of the most recent school year that included household applications to determine free and reduced lunch count multiplied by the district’s average daily attendance figure;

(7) “Free and reduced lunch threshold” shall be calculated by dividing the total free and reduced lunch pupil count of every performance district that falls entirely above the bottom five percent and entirely below the top five percent of average daily attendance, when such districts are rank-ordered based on their current operating expenditures per average daily attendance, by the total average daily attendance of all included performance districts;

(8) “Limited English proficiency pupil count”, the number in the preceding school year of pupils aged

three through twenty-one enrolled or preparing to enroll in an elementary school or secondary school who were not born in the United States or whose native language is a language other than English or are Native American or Alaskan native, or a native resident of the outlying areas, and come from an environment where a language other than English has had a significant impact on such individuals' level of English language proficiency, or are migratory, whose native language is a language other than English, and who come from an environment where a language other than English is dominant; and have difficulties in speaking, reading, writing, or understanding the English language sufficient to deny such individuals the ability to meet the state's proficient level of achievement on state assessments described in Public Law 107-10, the ability to achieve successfully in classrooms where the language of instruction is English, or the opportunity to participate fully in society;

(9) "Limited English proficiency threshold" shall be calculated by dividing the total limited English proficiency pupil count of every performance district that falls entirely above the bottom five percent and entirely below the top five percent of average daily attendance, when such districts are rank-ordered based on their current operating expenditures per average daily attendance, by the total average daily attendance of all included performance districts;

(10) "Local effort":

(a) For the fiscal year 2007 calculation, "local effort" shall be computed as the equalized assessed valuation of the property of a school district in calendar year 2004 divided by one hundred and multiplied by the performance levy less the percentage retained by the county assessor and collector plus one hundred percent of the amount received in fiscal year 2005 for school purposes from intangible taxes, fines, escheats, payments in lieu of taxes and receipts from state-assessed railroad and utility tax, one hundred percent of the amount received for school purposes pursuant to the merchants' and manufacturers' taxes under sections 150.010 to 150.370, one hundred percent of the amounts received for school purposes from federal properties under sections 12.070 and 12.080 except when such amounts are used in the calculation of federal impact aid pursuant to P.L. 81-874, fifty percent of Proposition C revenues received for school purposes from the school district trust fund under section 163.087, and one hundred percent of any local earnings or income taxes received by the district for school purposes. Under this paragraph, for a special district established under sections 162.815 to 162.940 in a county with a charter form of government and with more than one million inhabitants, a tax levy of zero shall be utilized in lieu of the performance levy for the special school district;

(b) In every year subsequent to fiscal year 2007, "local effort" shall be the amount calculated under paragraph (a) of this subdivision plus any increase in the amount received for school purposes from fines. If a district's assessed valuation has decreased subsequent to the calculation outlined in paragraph (a) of this subdivision, the district's local effort shall be calculated using the district's current assessed valuation in lieu of the assessed valuation utilized in the calculation outlined in paragraph (a) of this subdivision. When a change in a school district's boundary lines occurs because of a boundary line change, annexation, attachment, consolidation, reorganization, or dissolution under section 162.071, 162.081, sections 162.171 to 162.201, section 162.221, 162.223, 162.431, 162.441, or 162.451, or in the event that a school district assumes any territory from a district that ceases to exist for any reason, the department of elementary and secondary education shall make a proper adjustment to each affected district's local effort, so that each district's local effort figure conforms to the new boundary lines of the district. The department shall compute the local effort figure by applying the calendar year 2004 assessed valuation data to the new land areas resulting from the boundary line change, annexation, attachment, consolidation, reorganization, or

dissolution and otherwise follow the procedures described in this subdivision;

(11) “Membership” shall be the average of:

(a) The number of resident full-time students and the full-time equivalent number of part-time students who were enrolled in the public schools of the district on the last Wednesday in September of the previous year and who were in attendance one day or more during the preceding ten school days; and

(b) The number of resident full-time students and the full-time equivalent number of part-time students who were enrolled in the public schools of the district on the last Wednesday in January of the previous year and who were in attendance one day or more during the preceding ten school days, plus the full-time equivalent number of summer school pupils. “Full-time equivalent number of part-time students” is determined by dividing the total number of hours for which all part-time students are enrolled by the number of hours in the school term. “Full-time equivalent number of summer school pupils” is determined by dividing the total number of hours for which all summer school pupils were enrolled by the number of hours required pursuant to section 160.011 in the school term. Only students eligible to be counted for average daily attendance shall be counted for membership;

(12) “Operating levy for school purposes”, the sum of tax rates levied for teachers’ and incidental funds plus the operating levy or sales tax equivalent pursuant to section 162.1100 of any transitional school district containing the school district, in the payment year, not including any equalized operating levy for school purposes levied by a special school district in which the district is located;

(13) “Performance district”, any district that has met performance standards and indicators as established by the department of elementary and secondary education for purposes of accreditation under section 161.092 and as reported on the final annual performance report for that district each year; for calculations to be utilized for payments in fiscal years subsequent to fiscal year 2018, the number of performance districts shall not exceed twenty-five percent of all public school districts;

(14) “Performance levy”, three dollars and forty-three cents;

(15) “School purposes” pertains to teachers’ and incidental funds;

(16) “Special education pupil count”, the number of public school students with a current individualized education program or services plan and receiving services from the resident district as of December first of the preceding school year, except for special education services provided through a school district established under sections 162.815 to 162.940 in a county with a charter form of government and with more than one million inhabitants, in which case the sum of the students in each district within the county exceeding the special education threshold of each respective district within the county shall be counted within the special district and not in the district of residence for purposes of distributing the state aid derived from the special education pupil count;

(17) “Special education threshold” shall be calculated by dividing the total special education pupil count of every performance district that falls entirely above the bottom five percent and entirely below the top five percent of average daily attendance, when such districts are rank-ordered based on their current operating expenditures per average daily attendance, by the total average daily attendance of all included performance districts;

(18) “State adequacy target”, the sum of the current operating expenditures of every performance district that falls entirely above the bottom five percent and entirely below the top five percent of average daily

attendance, when such districts are rank-ordered based on their current operating expenditures per average daily attendance, divided by the total average daily attendance of all included performance districts. The department of elementary and secondary education shall first calculate the state adequacy target for fiscal year 2007 and recalculate the state adequacy target every two years using the most current available data. The recalculation shall never result in a decrease from the previous state adequacy target amount. Should a recalculation result in an increase in the state adequacy target amount, fifty percent of that increase shall be included in the state adequacy target amount in the year of recalculation, and fifty percent of that increase shall be included in the state adequacy target amount in the subsequent year. The state adequacy target may be adjusted to accommodate available appropriations as provided in subsection 8 of section 163.031;

(19) “Teacher”, any teacher, teacher-secretary, substitute teacher, supervisor, principal, supervising principal, superintendent or assistant superintendent, school nurse, social worker, counselor or librarian who shall, regularly, teach or be employed for no higher than grade twelve more than one-half time in the public schools and who is certified under the laws governing the certification of teachers in Missouri;

(20) “Weighted average daily attendance”, the average daily attendance plus the product of twenty-five hundredths multiplied by the free and reduced lunch pupil count that exceeds the free and reduced lunch threshold, plus the product of seventy-five hundredths multiplied by the number of special education pupil count that exceeds the special education threshold, plus the product of six-tenths multiplied by the number of limited English proficiency pupil count that exceeds the limited English proficiency threshold. For special districts established under sections 162.815 to 162.940 in a county with a charter form of government and with more than one million inhabitants, weighted average daily attendance shall be the average daily attendance plus the product of twenty-five hundredths multiplied by the free and reduced lunch pupil count that exceeds the free and reduced lunch threshold, plus the product of seventy-five hundredths multiplied by the sum of the special education pupil count that exceeds the threshold for each county district, plus the product of six-tenths multiplied by the limited English proficiency pupil count that exceeds the limited English proficiency threshold. None of the districts comprising a special district established under sections 162.815 to 162.940 in a county with a charter form of government and with more than one million inhabitants, shall use any special education pupil count in calculating their weighted average daily attendance.

163.018. 1. Notwithstanding the definition of average daily attendance in subdivision (2) of section 163.011 to the contrary, pupils between the ages of three and five who are eligible for free and reduced lunch and attend an early childhood education program that is operated by and in a district or by a charter school that has declared itself as a local educational agency providing full-day kindergarten and that meets standards established by the state board of education shall be included in the district’s or charter school’s calculation of average daily attendance. The total number of such pupils included in the district’s or charter school’s calculation of average daily attendance shall not exceed four percent of the total number of pupils who are eligible for free and reduced lunch between the ages of [three] **five** and eighteen who are included in the district’s or charter school’s calculation of average daily attendance.

2. (1) For any district that has been declared unaccredited by the state board of education and remains unaccredited as of July 1, 2015, **and for any charter school located in said district**, the provisions of subsection 1 of this section shall become applicable during the 2015-16 school year.

(2) For any district that is declared unaccredited by the state board of education after July 1, 2015, **and for any charter school located in said district**, the provisions of subsection 1 of this section shall become

applicable immediately upon such declaration.

(3) For any district that has been declared provisionally accredited by the state board of education and remains provisionally accredited as of July 1, 2016, **and for any charter school located in said district**, the provisions of subsection 1 of this section shall become applicable beginning in the 2016-17 school year.

(4) For any district that is declared provisionally accredited by the state board of education after July 1, 2016, **and for any charter school located in said district**, the provisions of this section shall become applicable beginning in the 2016-17 school year or immediately upon such declaration, whichever is later.

(5) For all other districts **and charter schools**, the provisions of subsection 1 of this section shall become effective in any school year subsequent to a school year in which the amount appropriated for subsections 1 and 2 of section 163.031 is equal to or exceeds the amount necessary to fund the entire entitlement calculation determined by subsections 1 and 2 of section 163.031, and shall remain effective in all school years thereafter, irrespective of the amount appropriated for subsections 1 and 2 of section 163.031 in any succeeding year.

3. This section shall not require school attendance beyond that mandated under section 167.031 and shall not change or amend the provisions of sections 160.051, 160.053, 160.054, and 160.055 relating to kindergarten attendance.

163.031. 1. The department of elementary and secondary education shall calculate and distribute to each school district qualified to receive state aid under section 163.021 an amount determined by multiplying the district's weighted average daily attendance by the state adequacy target, multiplying this product by the dollar value modifier for the district, and subtracting from this product the district's local effort and, in years not governed under subsection 4 of this section, subtracting payments from the classroom trust fund under section 163.043.

2. Other provisions of law to the contrary notwithstanding:

(1) For districts with an average daily attendance of more than three hundred fifty in the school year preceding the payment year:

(a) For the 2006-07 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of one-third multiplied by the remainder of the dollar value modifier minus one, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(b) For the 2007-08 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of two-thirds multiplied by the remainder of the dollar value modifier minus one, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(c) For the 2008-09 school year, the state revenue per weighted average daily attendance received by

a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(d) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (c) of this subdivision, multiplied by the weighted average daily attendance pursuant to section 163.036, less any increase in revenue received from the classroom trust fund under section 163.043;

(2) For districts with an average daily attendance of three hundred fifty or less in the school year preceding the payment year:

(a) For the 2006-07 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of one-third multiplied by the remainder of the dollar value modifier minus one;

(b) For the 2007-08 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of two-thirds multiplied by the remainder of the dollar value modifier minus one;

(c) For the 2008-09 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier;

(d) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (c) of this subdivision;

(3) The department of elementary and secondary education shall make an addition in the payment amount specified in subsection 1 of this section to assure compliance with the provisions contained in this subsection.

3. School districts that meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. The categorical add-on for the district shall be the sum of: seventy-five percent of the district allowable transportation costs under section 163.161; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the vocational education entitlement for the district, as provided for in section 167.332; and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699. The categorical add-on revenue amounts may be adjusted to accommodate available appropriations.

4. In the 2006-07 school year and each school year thereafter for five years, those districts entitled to receive state aid under the provisions of subsection 1 of this section shall receive state aid in an amount as

provided in this subsection.

(1) For the 2006-07 school year, the amount shall be fifteen percent of the amount of state aid calculated for the district for the 2006-07 school year under the provisions of subsection 1 of this section, plus eighty-five percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(2) For the 2007-08 school year, the amount shall be thirty percent of the amount of state aid calculated for the district for the 2007-08 school year under the provisions of subsection 1 of this section, plus seventy percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(3) For the 2008-09 school year, the amount of state aid shall be forty-four percent of the amount of state aid calculated for the district for the 2008-09 school year under the provisions of subsection 1 of this section plus fifty-six percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(4) For the 2009-10 school year, the amount of state aid shall be fifty-eight percent of the amount of state aid calculated for the district for the 2009-10 school year under the provisions of subsection 1 of this section plus forty-two percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(5) For the 2010-11 school year, the amount of state aid shall be seventy-two percent of the amount of state aid calculated for the district for the 2010-11 school year under the provisions of subsection 1 of this section plus twenty-eight percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(6) For the 2011-12 school year, the amount of state aid shall be eighty-six percent of the amount of state aid calculated for the district for the 2011-12 school year under the provisions of subsection 1 of this section plus fourteen percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(7) (a) a. For the 2006-07 school year, if a school district experiences a decrease in summer school average daily attendance of more than twenty percent from the district's 2005-06 summer school average daily attendance, an amount equal to the product of the percent reduction that is in excess of twenty percent of the district's summer school average daily attendance multiplied by the funds generated by the district's summer school program in the 2005-06 school year shall be subtracted from the district's current year payment amount.

b. For the 2007-08 school year, if a school district experiences a decrease in summer school average daily attendance of more than thirty percent from the district's 2005-06 summer school average daily attendance, an amount equal to the product of the percent reduction that is in excess of thirty percent of the district's summer school average daily attendance multiplied by the funds generated by the district's

summer school program in the 2005-06 school year shall be subtracted from the district's payment amount.

c. For the 2008-09 school year, if a school district experiences a decrease in summer school average daily attendance of more than thirty-five percent from the district's 2005-06 summer school average daily attendance, an amount equal to the product of the percent reduction that is in excess of thirty-five percent of the district's summer school average daily attendance multiplied by the funds generated by the district's summer school program in the 2005-06 school year shall be subtracted from the district's payment amount.

d. Notwithstanding the provisions of this paragraph, no such reduction shall be made in the case of a district that is receiving a payment under section 163.044 or any district whose regular school term average daily attendance for the preceding year was three hundred fifty or less.

e. This paragraph shall not be construed to permit any reduction applied under this paragraph to result in any district receiving a current-year payment that is less than the amount calculated for such district under subsection 2 of this section.

(b) If a school district experiences a decrease in its gifted program enrollment of more than twenty percent from its 2005-06 gifted program enrollment in any year governed by this subsection, an amount equal to the product of the percent reduction in the district's gifted program enrollment multiplied by the funds generated by the district's gifted program in the 2005-06 school year shall be subtracted from the district's current year payment amount.

5. For any school district meeting the eligibility criteria for state aid as established in section 163.021, but which is considered an option district under section 163.042 and therefore receives no state aid, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services as provided in section 163.042.

6. (1) No less than seventy-five percent of the state revenue received under the provisions of subsections 1, 2, and 4 of this section shall be placed in the teachers' fund, and the remaining percent of such moneys shall be placed in the incidental fund. No less than seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 shall be placed in the teachers' fund. One hundred percent of revenue received under the provisions of section 163.161 shall be placed in the incidental fund. One hundred percent of revenue received under the provisions of sections 168.500 to 168.515 shall be placed in the teachers' fund.

(2) A school district shall spend for certificated compensation and tuition expenditures each year:

(a) An amount equal to at least seventy-five percent of the state revenue received under the provisions of subsections 1, 2, and 4 of this section;

(b) An amount equal to at least seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 during the preceding school year; and

(c) Beginning in fiscal year 2008, as much as was spent per the second preceding year's weighted average daily attendance for certificated compensation and tuition expenditures the previous year from revenue produced by local and county tax sources in the teachers' fund, plus the amount of the incidental fund to teachers' fund transfer calculated to be local and county tax sources by dividing local and county tax sources in the incidental fund by total revenue in the incidental fund.

In the event a district fails to comply with this provision, the amount by which the district fails to spend

funds as provided herein shall be deducted from the district's state revenue received under the provisions of subsections 1, 2, and 4 of this section for the following year, provided that the state board of education may exempt a school district from this provision if the state board of education determines that circumstances warrant such exemption.

7. If a school district's annual audit discloses that students were inappropriately identified as eligible for free and reduced lunch, special education, or limited English proficiency and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of aid paid pursuant to the weighting for free and reduced lunch, special education, or limited English proficiency in the weighted average daily attendance on the inappropriately identified pupils be repaid by the district in the next school year and shall additionally impose a penalty of one hundred percent of such aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid.

8. Notwithstanding any provision of law to the contrary, **beginning on July 1, 2017**, in any fiscal year during which the total formula appropriation is insufficient to fully fund the entitlement calculation of this section, the department of elementary and secondary education shall adjust the state adequacy target in order to accommodate the appropriation level for the given fiscal year. **Beginning on July 1, 2017**, in no manner shall any payment modification be rendered for any district qualified to receive payments under subsection 2 of this section based on insufficient appropriations.”; and

Further amend the title and enacting clause accordingly.

Senator Wasson moved that the above amendment be adopted.

Senator Wasson offered **SA 1** to **SA 5**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 5

Amend Senate Amendment No. 5 to Senate Committee Substitute for House Committee Substitute for House Bill No. 42, Page 23, Section 163.031, Line 13, by striking “2017” and inserting in lieu thereof the following: “**2016**”; and further amend line 18 of said amendment by striking “2017” and inserting in lieu thereof the following: “**2016**”.

President Kinder assumed the Chair.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

SA 5, as amended, was again taken up.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 42, Page 38, Section 161.1000, Line 52, by inserting after all of said line the following:

“161.1005. 1. By July 1, 2016, the department shall employ a dyslexia therapist, licensed psychometrist, licensed speech-language pathologist, certified academic language therapist, or certified training specialist to serve as the department's dyslexia specialist. Such dyslexia specialist shall have a minimum of three years of field experience in screening, identifying, and treating dyslexia and related disorders.

2. The department shall ensure that the dyslexia specialist has completed training and received certification from a program approved by the legislative task force on dyslexia and is able to provide necessary information and support to school district teachers.

3. The dyslexia specialist shall:

(1) Be highly trained in dyslexia and related disorders, including best practice interventions and treatment models;

(2) Be responsible for the implementation of professional development; and

(3) Serve as the primary source of information and support for districts addressing the needs of students with dyslexia and related disorders.

4. In addition to other duties assigned under subsection 3 of this section, the dyslexia specialist shall also assist the department with developing and administering professional development programs to be made available to school districts no later than the 2016-17 school year. The programs shall focus on educating teachers regarding the indicators of dyslexia, the science surrounding teaching a student who is dyslexic, and classroom accommodations necessary for a student with dyslexia.”; and

Further amend said bill, page 85, section 210.861, line 104, by inserting after all of said line the following:

“633.420. 1. For the purposes of this section, the term “dyslexia” means a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition, and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this section shall prohibit a district from assessing students for dyslexia and offering students specialized reading instruction if a determination is made that a student suffers from dyslexia. Unless required by federal law, nothing in this definition shall require a student with dyslexia to be automatically determined eligible as a student with a disability.

2. There is hereby created the “Legislative Task Force on Dyslexia”. The joint committee on education shall provide technical and administrative support as required by the task force to fulfill its duties. The task force shall meet at least quarterly and may hold meetings by telephone or video conference. The task force shall advise and make recommendations to the governor, general assembly, and relevant state agencies regarding matters concerning individuals with dyslexia including education and other adult and adolescent services.

3. The task force shall be comprised of eighteen members consisting of the following:

(1) Four members of the general assembly, with two members from the senate to be appointed by the president pro tempore and two members from the house of representatives to be appointed by the speaker of the house of representatives;

(2) The commissioner of education, or his or her designee;

(3) One representative from an institution of higher education located in this state with specialized expertise in dyslexia and reading instruction;

(4) A representative from a state teachers association or the Missouri National Education Association;

(5) A representative from the International Dyslexia Association of Missouri;

(6) A representative from Decoding Dyslexia of Missouri;

(7) A representative from the Missouri Association of Elementary School Principals;

(8) A representative from the Missouri Council of Administrators of Special Education;

(9) A professional licensed in the state of Missouri with experience diagnosing dyslexia including, but not limited to, a licensed psychologist, school psychologist, or neuropsychologist;

(10) A speech-language pathologist with training and experience in early literacy development and effective research-based intervention techniques for dyslexia, including an Orton-Gillingham remediation program recommended by the Missouri Speech-Language Hearing Association, or a certified academic language therapist recommended by the Academic Language Therapists Association who is a resident of this state;

(11) A representative from an independent private provider or nonprofit organization serving individuals with dyslexia;

(12) An assistive technology specialist with expertise in accessible print materials and assistive technology used by individuals with dyslexia recommended by the Missouri assistive technology council;

(13) One private citizen who has a child who has been diagnosed with dyslexia;

(14) One private citizen who has been diagnosed with dyslexia; and

(15) A representative of the Missouri State Council of the International Reading Association.

4. The members of the task force, other than the members from the general assembly and ex officio members, shall be appointed by the president pro tempore of the senate or the speaker of the house of representatives by September 1, 2015, by alternating appointments beginning with the president pro tempore of the senate. A chairperson shall be selected by the members of the task force. Any vacancy on the task force shall be filled in the same manner as the original appointment. Members shall serve on the task force without compensation.

5. The task force shall make recommendations for a statewide system for identification, intervention, and delivery of supports for students with dyslexia including the development of resource materials and professional development activities. These recommendations shall be included in a report to the governor and legislature and shall include findings and proposed legislation and shall be made available no longer than twelve months from the task force's first meeting.

6. The recommendations and resource materials developed by the task force shall:

(1) Identify valid and reliable screening and evaluation assessments and protocols that can be used and the appropriate personnel to administer such assessments in order to identify children with dyslexia or the characteristics of dyslexia as part of an ongoing reading progress monitoring system, multi-tiered system of supports, and special education eligibility determinations in schools;

(2) Recommend an evidence-based reading instruction, with consideration of the National Reading

Panel Report and Orton-Gillingham methodology principles for use in all Missouri schools, and intervention system, including a list of effective dyslexia intervention programs, to address dyslexia or characteristics of dyslexia for use by schools in multi-tiered systems of support and for services as appropriate for special education eligible students;

(3) Develop and implement preservice and inservice professional development activities to address dyslexia identification and intervention, including utilization of accessible print materials and assistive technology, within degree programs such as education, reading, special education, speech-language pathology, and psychology;

(4) Review teacher certification and professional development requirements as they relate to the needs of students with dyslexia;

(5) Examine the barriers to accurate information on the prevalence of students with dyslexia across the state and recommend a process for accurate reporting of demographic data; and

(6) Study and evaluate current practices for diagnosing, treating, and educating children in this state and examine how current laws and regulations affect students with dyslexia in order to present recommendations to the governor and general assembly.

7. The task force shall hire or contract for hire specialist services to support the work of the task force as necessary with appropriations made by the general assembly for that purpose or from other available funding.

8. The task force authorized under this section shall automatically sunset on August 31, 2017, unless reauthorized by an act of the general assembly.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 42, Page 65, Section 167.826, Line 252, by inserting after all of said line the following:

“(4) When determining transportation arrangements under this subsection, neither the department of elementary and secondary education nor any education authority shall contract with or collaborate with any established regional association or cooperative of school districts located in any city not within a county or any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.”; and

Further amend said bill, page 68, section 167.827, line 71, by inserting after all of said line the following:

“6. When performing the requirements of this section or sections 167.830 to 167.845, neither the department of elementary and secondary education nor any education authority shall contract with or collaborate with any established regional association or cooperative of school districts located in any city not within a county or any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Pearce moved that **SCS** for **HCS** for **HB 42**, as amended, be adopted, which motion prevailed.

Senator Pearce moved that **SCS** for **HCS** for **HB 42**, as amended, be read the 3rd time and was recognized to close.

President Pro Tem Dempsey referred **SCS** for **HCS** for **HB 42**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

SENATE BILLS FOR PERFECTION

At the request of Senator Dixon, **SB 433** was placed on the Informal Calendar.

Senator Schupp moved that **SB 328**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 328**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 328

An Act to amend chapter 170, RSMo, by adding thereto two new sections relating to youth suicide awareness and prevention education.

Was taken up.

Senator Schupp moved that **SCS** for **SB 328** be adopted, which motion prevailed.

Senator Schmitt assumed the Chair.

On motion of Senator Schupp, **SCS** for **SB 328** was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

HB 150, introduced by Representative Fitzpatrick, entitled:

An Act to repeal sections 288.060, 288.122, and 288.330, RSMo, and to enact in lieu thereof three new sections relating to employment security.

Was taken up by Senator Kehoe.

Senator Munzlinger offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 150, Page 3, Section 288.060, Line 83, by inserting after all of said line the following:

“288.120. 1. On each June thirtieth, or within a reasonable time thereafter as may be fixed by regulation, the balance of an employer’s experience rating account, except an employer participating in a shared work plan under section 288.500, shall determine his contribution rate for the following calendar year as determined by the following table:

Percentage the Employer’s Experience Rating Account is to that Employer’s Average Annual Payroll		
Equals or Exceeds	Less Than	Contribution Rate
- -	-12.0	6.0%
-12.0	-11.0	5.8%

-11.0	-10.0	5.6%
-10.0	-9.0	5.4%
-9.0	-8.0	5.2%
-8.0	-7.0	5.0%
-7.0	-6.0	4.8%
-6.0	-5.0	4.6%
-5.0	-4.0	4.4%
-4.0	-3.0	4.2%
-3.0	-2.0	4.0%
-2.0	-1.0	3.8%
-1.0	0	3.6%
0	2.5	2.7%
2.5	3.5	2.6%
3.5	4.5	2.5%
4.5	5.0	2.4%
5.0	5.5	2.3%
5.5	6.0	2.2%
6.0	6.5	2.1%
6.5	7.0	2.0%
7.0	7.5	1.9%
7.5	8.0	1.8%
8.0	8.5	1.7%
8.5	9.0	1.6%
9.0	9.5	1.5%
9.5	10.0	1.4%
10.0	10.5	1.3%
10.5	11.0	1.2%
11.0	11.5	1.1%
11.5	12.0	1.0%
12.0	12.5	0.9%
12.5	13.0	0.8%
13.0	13.5	0.6%
13.5	14.0	0.4%
14.0	14.5	0.3%

14.5	15.0	0.2%
15.0	- -	0.0%

2. Using the same mathematical principles used in constructing the table provided in subsection 1 of this section, the following table has been constructed. The contribution rate for the following calendar year of any employer participating in a shared work plan under section 288.500 during the current calendar year or any calendar year during a prior three-year period shall be determined from the balance in such employer's experience rating account as of the previous June thirtieth, or within a reasonable time thereafter as may be fixed by regulation, from the following table:

Percentage the Employer's Experience Rating
Account is to that Employer's Average Annual Payroll

Equals or Exceeds	Less Than	Contribution Rate
- -	-27.0	9.0%
-27.0	-26.0	8.8%
-26.0	-25.0	8.6%
-25.0	-24.0	8.4%
-24.0	-23.0	8.2%
-23.0	-22.0	8.0%
-22.0	-21.0	7.8%
-21.0	-20.0	7.6%
-20.0	-19.0	7.4%
-19.0	-18.0	7.2%
-18.0	-17.0	7.0%
-17.0	-16.0	6.8%
-16.0	-15.0	6.6%
-15.0	-14.0	6.4%
-14.0	-13.0	6.2%
-13.0	-12.0	6.0%
-12.0	-11.0	5.8%
-11.0	-10.0	5.6%
-10.0	-9.0	5.4%
-9.0	-8.0	5.2%
-8.0	-7.0	5.0%
-7.0	-6.0	4.8%
-6.0	-5.0	4.6%
-5.0	-4.0	4.4%

-4.0	-3.0	4.2%
-3.0	-2.0	4.0%
-2.0	-1.0	3.8%
-1.0	0	3.6%
0	2.5	2.7%
2.5	3.5	2.6%
3.5	4.5	2.5%
4.5	5.0	2.4%
5.0	5.5	2.3%
5.5	6.0	2.2%
6.0	6.5	2.1%
6.5	7.0	2.0%
7.0	7.5	1.9%
7.5	8.0	1.8%
8.0	8.5	1.7%
8.5	9.0	1.6%
9.0	9.5	1.5%
9.5	10.0	1.4%
10.0	10.5	1.3%
10.5	11.0	1.2%
11.0	11.5	1.1%
11.5	12.0	1.0%
12.0	12.5	0.9%
12.5	13.0	0.8%
13.0	13.5	0.6%
13.5	14.0	0.4%
14.0	14.5	0.3%
14.5	15.0	0.2%
15.0	- -	0.0%

3. Notwithstanding the provisions of subsection 2 of section 288.090, any employer participating in a shared work plan under section 288.500 who has not had at least twelve calendar months immediately preceding the calculation date throughout which his account could have been charged with benefits shall have a contribution rate equal to the highest contribution rate in the table in subsection 2 of this section, until such time as his account has been chargeable with benefits for the period of time sufficient to enable him to qualify for a computed rate on the same basis as other employers participating in shared work plans.

4. Employers who have been taxed at the maximum rate pursuant to this section for two consecutive years shall have a surcharge of one-quarter percent added to their contribution rate calculated pursuant to this section. In the event that an employer remains at the maximum rate pursuant to this section for a third or subsequent year, an additional surcharge of one-quarter percent shall be annually assessed, but in no case shall the surcharge authorized in this subsection cumulatively exceed one percent. Additionally, if an employer continues to remain at the maximum rate pursuant to this section an additional surcharge of one-half percent shall be assessed. In no case shall the total surcharge assessed to any employer exceed one and one-half percent in any given year.

5. For a period of sixty days beginning August 28, 2015, an employer who reasonably believes that he or she has been assigned an erroneous experience rating as a result of the purchase of a company that has been discharged from bankruptcy shall have the right to file a timely appeal for recovery of overpayments for the last five years due to such erroneous assignment.”; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted.

Senator Emery offered **SA 1 to SA 1:**

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to House Bill No. 150, Page 6, Line 3, by striking “August 28, 2015” and inserting in lieu thereof the following: “**with the effective date of this section**”; and further amend said amendment, line 6 by striking the words “that has been discharged from bankruptcy”.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

SA 1, as amended, was again taken up.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend House Bill No. 150, Page 3, Section 288.060, Line 51, by striking the word “and” as it appears the third time on said line; and further amend line 55, by inserting immediately after “quarter” the following: “; **and**”

(9) The provisions of this subsection shall become effective January 1, 2016”.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 3:**

SENATE AMENDMENT NO. 3

Amend House Bill No. 150, Page 3, Section 288.060, Lines 53-55, by striking all of said lines and inserting in lieu thereof the following:

“As used in this subsection, the phrase “Missouri average unemployment rate” means the average of the seasonally adjusted statewide unemployment rates as published by the United States Department

of Labor, Bureau of Labor Statistics, for the time periods of January first through March thirty-first and July first through September thirtieth. The average of the seasonally adjusted statewide unemployment rates for the time period of January first through March thirty-first shall be effective on and after July first of each year and shall be effective through December thirty-first. The average of the seasonally adjusted statewide unemployment rates for the time period of July first through September thirtieth shall be effective on and after January first of each year and shall be effective through June thirtieth.”.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe offered SA 4:

SENATE AMENDMENT NO. 4

Amend House Bill No. 150, Page 1, Section A, Line 3, by inserting after all of said line the following:

“288.036. 1. “Wages” means all remuneration, payable or paid, for personal services including commissions and bonuses and, except as provided in subdivision (7) of this section, the cash value of all remuneration paid in any medium other than cash. Gratuities, including tips received from persons other than the employing unit, shall be considered wages only if required to be reported as wages pursuant to the Federal Unemployment Tax Act, 26 U.S.C. Sec. 3306, and shall be, for the purposes of this chapter, treated as having been paid by the employing unit. Severance pay shall be considered as wages to the extent required pursuant to the Federal Unemployment Tax Act, 26 U.S.C. Section 3306(b). Vacation pay, **termination pay, severance pay** and holiday pay shall be considered as wages for the week with respect to which it is payable. **The total amount of wages derived from severance pay, if paid to an insured in a lump sum, shall be pro-rated on a weekly basis at the rate of pay received by the insured at the time of termination for the purposes of determining unemployment benefits eligibility.** The term “wages” shall not include:

(1) The amount of any payment made (including any amount paid by an employing unit for insurance or annuities, or into a fund, to provide for any such payment) to, or on behalf of, an individual under a plan or system established by an employing unit which makes provision generally for individuals performing services for it or for a class or classes of such individuals, on account of:

(a) Sickness or accident disability, but in case of payments made to an employee or any of the employee’s dependents this paragraph shall exclude from the term wages only payments which are received pursuant to a workers’ compensation law; or

(b) Medical and hospitalization expenses in connection with sickness or accident disability; or

(c) Death;

(2) The amount of any payment on account of sickness or accident disability, or medical or hospitalization expenses in connection with sickness or accident disability, made by an employing unit to, or on behalf of, an individual performing services for it after the expiration of six calendar months following the last calendar month in which the individual performed services for such employing unit;

(3) The amount of any payment made by an employing unit to, or on behalf of, an individual performing services for it or his or her beneficiary:

(a) From or to a trust described in 26 U.S.C. 401(a) which is exempt from tax pursuant to 26 U.S.C. 501(a) at the time of such payment unless such payment is made to an employee of the trust as remuneration

for services rendered as such an employee and not as a beneficiary of the trust; or

(b) Under or to an annuity plan which, at the time of such payments, meets the requirements of Section 404(a)(2) of the Federal Internal Revenue Code (26 U.S.C.A. Sec. 404);

(4) The amount of any payment made by an employing unit (without deduction from the remuneration of the individual in employment) of the tax imposed pursuant to Section 3101 of the Federal Internal Revenue Code (26 U.S.C.A. Sec. 3101) upon an individual with respect to remuneration paid to an employee for domestic service in a private home or for agricultural labor;

(5) Remuneration paid in any medium other than cash to an individual for services not in the course of the employing unit's trade or business;

(6) Remuneration paid in the form of meals provided to an individual in the service of an employing unit where such remuneration is furnished on the employer's premises and at the employer's convenience, except that remuneration in the form of meals that is considered wages and required to be reported as wages pursuant to the Federal Unemployment Tax Act, 26 U.S.C. Sec. 3306 shall be reported as wages as required thereunder;

(7) For the purpose of determining wages paid for agricultural labor as defined in paragraph (b) of subdivision (1) of subsection 12 of section 288.034 and for domestic service as defined in subsection 13 of section 288.034, only cash wages paid shall be considered;

(8) Beginning on October 1, 1996, any payment to, or on behalf of, an employee or the employee's beneficiary under a cafeteria plan, if such payment would not be treated as wages pursuant to the Federal Unemployment Tax Act.

2. The increases or decreases to the state taxable wage base for the remainder of calendar year 2004 shall be eight thousand dollars, and the state taxable wage base in calendar year 2005, and each calendar year thereafter, shall be determined by the provisions within this subsection. On January 1, 2005, the state taxable wage base for calendar year 2005, 2006, and 2007 shall be eleven thousand dollars. The taxable wage base for calendar year 2008 shall be twelve thousand dollars. The state taxable wage base for each calendar year thereafter shall be determined by the average balance of the unemployment compensation trust fund of the four preceding calendar quarters (September thirtieth, June thirtieth, March thirty-first, and December thirty-first of the preceding calendar year), less any outstanding federal Title XII advances received pursuant to section 288.330, less the principal, interest, and administrative expenses related to any credit instrument issued under section 288.030, and less the principal, interest, and administrative expenses related to any financial agreements under subdivision (17) of subsection 2 of section 288.330. When the average balance of the unemployment compensation trust fund of the four preceding quarters (September thirtieth, June thirtieth, March thirty-first, and December thirty-first of the preceding calendar year), as so determined is:

(1) Less than, or equal to, three hundred fifty million dollars, then the wage base shall increase by one thousand dollars; or

(2) Six hundred fifty million or more, then the state taxable wage base for the subsequent calendar year shall be decreased by five hundred dollars. In no event, however, shall the state taxable wage base increase beyond twelve thousand five hundred dollars, or decrease to less than seven thousand dollars. For calendar year 2009, the tax wage base shall be twelve thousand five hundred dollars. For calendar year 2010 and each calendar year thereafter, in no event shall the state taxable wage base increase beyond thirteen thousand

dollars, or decrease to less than seven thousand dollars. For any calendar year, the state taxable wage base shall not be reduced to less than that part of the remuneration which is subject to a tax under a federal law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment compensation trust fund. Nothing in this section shall be construed to prevent the wage base from increasing or decreasing by increments of five hundred dollars.”; and

Further amend said bill and page, section 288.060, line 14, by inserting an opening bracket “[” immediately before the word “Termination”; and further amend said line by inserting a closing bracket “]” immediately after the word “or”; and

Further amend the title and enacting clause accordingly.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

Senator Sifton offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend House Bill No. 150, Pages 2-3, Section 288.060, Lines 36-55, by striking all of said lines and inserting in lieu thereof the following:

“5. The duration of benefits payable to any insured worker during any benefit year shall be limited to:

(1) Thirty weeks if the Missouri average unemployment rate is six percent or higher;

(2) Twenty-five weeks if the Missouri average unemployment rate is under six percent; and

(3) Twenty weeks if the Missouri average unemployment rate is less than four and one half percent.

As used in this subsection, the phrase “Missouri average unemployment rate” means the average statewide unemployment rate during the three months of the most recent third calendar year quarter.”.

Senator Sifton moved that the above amendment be adopted, which motion failed.

Senator Kehoe moved that **HB 150**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Dempsey referred **HB 150**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 328** and **SCS for SB 190**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 14**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2015.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 523**, entitled:

An Act to repeal section 302.020 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 302.020 as enacted by house bill no. 111, ninety-sixth general assembly, first regular session, and to enact in lieu thereof two new sections relating to the operation of motorcycles or motortricycles, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 637**, entitled:

An Act to repeal section 162.720, RSMo, and section 163.031 as enacted by house bill no. 1689, ninety-seventh general assembly, second regular session, and to enact in lieu thereof two new sections relating to gifted education, with a delayed effective date for a certain section.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 982**, entitled:

An Act to repeal section 262.590, RSMo, and to enact in lieu thereof one new section relating to the duties of a University of Missouri extension council.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 336**, entitled:

An Act to repeal sections 115.105 and 115.107, RSMo, and to enact three new sections relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 636 & 645**, entitled:

An Act to amend chapter 409, RSMo, by adding thereto seven new sections relating to the financial exploitation of certain elderly and disabled individuals.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 926**, entitled:

An Act to repeal section 443.719, RSMo, and to enact in lieu thereof one new section relating to mortgage loan originators.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
April 10, 2015

TO THE SECRETARY OF THE SENATE
98th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No.12 entitled:

AN ACT

To repeal sections 262.900, 275.352, 277.040, 281.065, 304.180, 442.571, and 537.325, RSMo, and to enact in lieu thereof eight new sections relating to agriculture.

On April 10, 2015, I approved said House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No.12.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
April 13, 2015

TO THE SECRETARY OF THE SENATE
98th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Concurrent Resolution No. 4 establishing September 26th of each year as Mesothelioma Awareness Day in Missouri.

On April 13, 2015, I approved said Senate Concurrent Resolution No. 4.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

INTRODUCTIONS OF GUESTS

Senator Hegeman introduced to the Senate, line workers from various municipal, co-operative and investor owned utilities.

Senator Parson introduced to the Senate, Robert Breshears, Hermitage.

Senator Parson introduced to the Senate, Presiding Commissioner Michelle McLerran-Morgan, Benton County.

Senator Pearce introduced to the Senate, Nelson Heil and Bill Boelsen, Carroll County.

On behalf of Senator Kehoe, the President introduced to the Senate, Mallorie Smith; and her mother, Christina.

Senator Schupp introduced to the Senate, Marty Ott, St. Louis.

Senator Cunningham introduced to the Senate, Greg Donnley; and John Turner, Ozark County.

Senator Pearce introduced to the Senate, President Chuck Ambrose and Deborah Curtis, Chief Learning Officer, University Central Missouri.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-FIRST DAY—TUESDAY, APRIL 14, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 210-Conway (104)
HB 511-Mathews
HCS for HB 712

HCS for HBs 35 & 323
HB 229-McCaherty
HCS for HB 380

HB 1022-Gosen
HB 410-Kelley
HCS for HB 882
HCS for HB 319
HB 254-Crawford
HCS for HB 1063
HCS for HB 1019
HCS for HB 272

HCS for HB 14
HB 523-Burlison
HCS for HB 637
HB 982-Rowden
HB 336-McGaugh
HCS for HBs 636 & 645
HCS for HB 926

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)
SCS for SB 56-Munzlinger
(In Fiscal Oversight)
SS for SB 201-Dixon
(In Fiscal Oversight)

SB 203-Dixon (In Fiscal Oversight)
SB 155-Nasheed (In Fiscal Oversight)
SB 389-Silvey and Walsh
(In Fiscal Oversight)
SCS for SB 328-Schupp
SCS for SB 190-Curls

SENATE BILLS FOR PERFECTION

1. SB 540-Libla
2. SJR 12-Onder, with SCS
3. SB 365-Schmitt
4. SB 334-Nasheed
5. SB 401-Schmitt and Richard
6. SB 339-Munzlinger
7. SB 87-Emery, with SCS
8. SB 53-Schaaf
9. SB 55-Munzlinger
10. SB 500-Riddle
11. SB 469-Munzlinger
12. SB 400-Onder
13. SB 416-Wasson
14. SB 457-Sater
15. SB 517-Wasson, with SCS
16. SB 200-Dixon
17. SB 91-Dixon, with SCS
18. SB 112-Dixon, with SCS
19. SB 321-Hegeman, with SCS

20. SB 304-Keaveny, with SCS
21. SB 141-Parson
22. SB 352-Schaefer
23. SB 377-Schatz
24. SB 305-Onder
25. SB 369-Pearce
26. SB 435-Walsh, with SCS
27. SB 232-Kehoe, with SCS
28. SB 366-Schmitt
29. SB 299-Pearce
30. SB 430-Curls
31. SB 268-Pearce, with SCS
32. SB 539-Brown, with SCS
33. SB 488-Cunningham
34. SB 69-LeVota, with SCS
35. SB 561-Wasson
36. SB 481-Onder, with SCS
37. SB 567-Chappelle-Nadal, et al
38. SB 145-Pearce, with SCS

39. SB 354-Sater, with SCS
 40. SB 314-Wallingford
 41. SB 463-Dixon
 42. SB 420-Schmitt
 43. SB 151-Sater
 44. SB 476-Kehoe

45. SB 225-Romine, with SCS
 46. SB 373-Libla
 47. SB 371-Munzlinger
 48. SB 317-Brown
 49. SB 474-Wallingford

HOUSE BILLS ON THIRD READING

HB 92-Miller (Kehoe)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)
 SB 59-Dixon
 SB 80-Dixon, with SCS
 SB 142-Romine, with SCS & SS#2 for SCS
 (pending)
 SB 159-Parson
 SB 167-Schaaf, with SCS
 SB 199-Dixon, et al, with SCS
 SB 227-Emery, with SS (pending)
 SB 233-Kehoe, with SCS & SA 2 (pending)
 SB 302-Riddle, with SCS (pending)

SBs 331 & 21-Libla, with SCS & SS for
 SCS (pending)
 SB 358-Kehoe
 SB 372-Keaveny, with SCS (pending)
 SB 386-Keaveny, with SS & SA 1 (pending)
 SB 424-Pearce, with SA 1 (pending)
 SB 433-Dixon and Dempsey
 SB 452-Schmitt, et al, with SA 1 & point
 of order (pending)
 SB 475-Dempsey
 SJR 7-Richard and Wallingford

HOUSE BILLS ON THIRD READING

SCS for HCS for HB 42 (Pearce)
 (In Fiscal Oversight)

HB 150-Fitzpatrick (Kehoe)
 (In Fiscal Oversight)

CONSENT CALENDAR

House Bills

Reported 4/9

HB 125-Black (Romine)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1,
HA 2, as amended, HA 3, as
amended, & HA 4

SS#2 for SCS for SB 24-Sater, with HCS,
as amended

HCS for HB 2, with SCS (Schaefer)

HCS for HB 3, with SCS (Schaefer)

HCS for HB 4, with SCS (Schaefer)

HCS for HB 5, with SCS (Schaefer)

HCS for HB 6, with SCS (Schaefer)

HCS for HB 7, with SCS (Schaefer)

HCS for HB 8, with SCS (Schaefer)

HCS for HB 9, with SCS (Schaefer)

HCS for HB 10, with SCS (Schaefer)

HCS for HB 11, with SCS, as amended
(Schaefer)

HCS for HB 12, with SS for SCS (Schaefer)

HCS for HB 13, with SCS (Schaefer)

RESOLUTIONS

Reported from Committee

SCR 13-Curls

SCRs 21, 19 & 23-Dixon, et al, with SCS

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-FIRST DAY—TUESDAY, APRIL 14, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Make me to know your ways, O Lord; teach me your paths.” (Psalm 25:4)

Eternal God, in a world that seems to treat all things as transitory, used today and gone tomorrow, how wonderful it is to focus on the rich legacy we have in You. Everything You do and create for Your purposes lasts forever. How reassuring it is to accept that even we are meant to have life beyond this life and, therefore, must treat each other as Your fellow creation. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 796, regarding Lisa Higginbotham, Chamois, which was adopted.

Senator Sifton offered Senate Resolution No. 797, regarding Mason Merris, which was adopted.

Senator Munzlinger offered Senate Resolution No. 798, regarding the A.T. Still University-Kirksville College of Osteopathic Medicine, which was adopted.

Senator Sater offered Senate Resolution No. 799, regarding Gladys Reavis, Crane, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Libla moved that **SB 540** be taken up for perfection, which motion prevailed.

Senator Libla offered **SS** for **SB 540**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 540

An Act to repeal section 142.803 as enacted by house bill no. 2141, ninety-seventh general assembly, second regular session, and section 142.803 as enacted by house bill no. 1196, ninety-first general assembly, second regular session, RSMo, and to enact in lieu thereof one new section relating to motor fuel taxes.

Senator Libla moved that **SS** for **SB 540** be adopted.

Senator Pearce assumed the Chair.

Senator Dixon assumed the Chair.

At the request of Senator Libla, **SB 540**, with **SS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 148**, entitled:

An Act to repeal section 287.037, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 268**, entitled:

An Act to repeal sections 94.902 and 143.801, RSMo, and to enact in lieu thereof two new sections relating to limitations on income tax credits or refunds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 811**, entitled:

An Act to repeal sections 32.069, 136.110, 143.801, and 143.811, RSMo, and to enact in lieu thereof four new sections relating to the department of revenue.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 210—Transportation, Infrastructure and Public Safety.

HB 511—Jobs, Economic Development and Local Government.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

SENATE BILLS FOR PERFECTION

Senator Keaveny moved that **SB 386**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Keaveny, **SS** for **SB 386** was withdrawn, rendering **SA 1** moot.

Senator Keaveny offered **SS No. 2** for **SB 386**, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE BILL NO. 386

An Act to repeal sections 192.945, 195.207, and 261.265, RSMo, and to enact in lieu thereof four new sections relating to hemp extract.

Senator Keaveny moved that **SS No. 2** for **SB 386** be adopted, which motion prevailed.

On motion of Senator Keaveny, **SS No. 2** for **SB 386** was declared perfected and ordered printed.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SS** for **HB 384**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

PRIVILEGED MOTIONS

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS No. 2** for **SCS** for **SB 24** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 24

The Conference Committee appointed on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24, as amended;
2. That the Senate recede from its position on Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater

/s/ Gary Romine

/s/ Jeanie Riddle

Jamilah Nasheed

Jill Schupp

FOR THE HOUSE:

/s/ Diane Franklin

/s/ Sue Allen

/s/ Marsha Haefner

Jon Carpenter

Jeanne Kirkton

Senator Sater moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson

Wieland—25

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	LeVota	Nasheed	Schupp	Sifton
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Walsh—9

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Sater, **CCS** for **HCS** for **SS No. 2** for **SCS** for **SB 24**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 24

An Act to repeal section 208.040, RSMo, and to enact in lieu thereof four new sections relating to nonmedical public assistance.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson

Wieland—25

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	LeVota	Nasheed	Schupp	Sifton
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Walsh—9

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Onder moved that **SJR 12**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SJR 12**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 12

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, by adding thereto one new section relating to educational freedom.

Was taken up.

Senator Onder moved that **SCS** for **SJR 12** be adopted.

Senator Riddle assumed the Chair.

Senator Sifton offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Joint Resolution No. 12, Page 1, Section 36, Line 14, by striking the word “and” and inserting in lieu thereof the following: “,”; and further amend line 15 by inserting after the word “constitution” the following: “, **and American history and institutions**”.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Holsman offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Joint Resolution No. 12, Page 2, Section 36, Line 30, by inserting after all of said line the following:

“4. The word “religion” as used in this section shall include the following religions: Christianity, Mormonism, including the LDS Restoration Church, Judaism, Islam, Hinduism, Buddhism, Zoroastrianism, Nuwaubianism, Church of Euthanasia, Prince Philip Movement, Church of the Sub Genius, World Church of the Creator, Thee Temple on Psychic Youth, Nation of Yahweh, Secular Humanism, Ethicism, the People’s Temple, Church of All Worlds, Scientology, Universe People, Druze, Navajo religion, Iroquois Nation, Rastafarian, Peyote religion, Animism, and Santeria.”.

Senator Holsman moved that the above amendment be adopted.

At the request of Senator Holsman, **SA 2** was withdrawn.

At the request of Senator Onder, **SJR 12**, with **SCS**, as amended (pending), was placed on the Informal Calendar.

Senator Schmitt moved that **SB 365** be taken up for perfection, which motion prevailed.

Senator Schmitt offered **SS** for **SB 365**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 365

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to the special needs of certain individuals.

Senator Schmitt moved that **SS** for **SB 365** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SB 365** was declared perfected and ordered printed.

Senator Nasheed moved that **SB 334** be taken up for perfection, which motion prevailed.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 334, Page 2, Section 174.310, Line 24, by inserting after all of said line the following:

“174.332. 1. Notwithstanding the provisions of section 174.050 to the contrary, the board of regents of Northwest Missouri State University shall be composed of nine members, eight of whom shall be voting members and one who shall be a nonvoting member. Not more than four voting members shall belong to

any one political party. Not more than two voting members shall be residents of the same county. The appointed members of the board serving on August 28, 2008, shall continue to serve until the expiration of the terms for which the appointed members were appointed and until such time a successor is duly appointed.

2. The board of regents shall be appointed as follows:

(1) Six voting members shall be residents of the university's historic statutory service region, [as described in section 174.010 and modified by section 174.250,] provided at least one member shall be a resident of Nodaway County. **For the sole purpose of determining the composition of the board of regents, the university's historic statutory service region shall consist of the counties of Atchison, Andrew, Caldwell, Carroll, Clay, Clinton, Daviess, DeKalb, Gentry, Grundy, Harrison, Holt, Livingston, Mercer, Nodaway, Ray, and Worth;**

(2) Two voting members shall be residents of a county in the state that is outside the university's historic statutory service region, as described in [section 174.010 and modified by section 174.250] **subdivision (1) of this subsection**, provided these two members shall not be appointed from the same congressional district; and

(3) One nonvoting member shall be a full-time student of the university, a United States citizen, and a resident of Missouri.

3. A majority of the voting members of the board shall constitute a quorum for the transaction of business; however, no appropriation of money nor any contract that shall require any appropriation or disbursement of money shall be made, nor teacher employed or dismissed, unless a majority of the voting members of the board vote for the same.

4. Except as specifically provided in this section, the appointments and terms of office for the voting and nonvoting members of the board, and all other duties and responsibilities of the board, shall comply with the provisions of state law regarding boards of regents.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Nasheed, **SB 334**, as amended, was declared perfected and ordered printed.

Senator Schmitt moved that **SB 401** be taken up for perfection, which motion prevailed.

Senator Kehoe assumed the Chair.

SB 401 was placed on the Informal Calendar.

Senator Riddle assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 365** and **SS No. 2** for **SB 386**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 38**.

HOUSE CONCURRENT RESOLUTION NO. 38

WHEREAS, human trafficking is a form of slavery in which psychological and physical coercion is used to force people to perform commercial sex acts, house-keeping, farm work, and other types of labor and services; and

WHEREAS, the human trafficking industry generates one hundred fifty billion dollars in annual profits throughout the world on the backs of an estimated twenty-one million victims, including five and one-half million children; and

WHEREAS, despite the efforts of dozens of nonprofit organizations dedicated to fighting human trafficking, it is the fastest growing criminal industry in the world:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby create the Human Trafficking Task Force; and

BE IT FURTHER RESOLVED that the mission of the task force shall be to raise awareness of the human trafficking problem in Missouri and provide organizations and agencies that enforce human trafficking laws and assist victims with a central place to share information; and

BE IT FURTHER RESOLVED that the task force shall consist of the following members:

- (1) Two members of the Senate to be appointed by the President Pro Tempore of the Senate;
- (2) Two members of the House of Representatives to be appointed by the Speaker of the House of Representatives;
- (3) The Attorney General or his or her designee;
- (4) The Director of the Department of Public Safety or his or her designee;
- (5) The Director of the Department of Corrections or his or her designee;
- (6) A circuit court judge who has experience handling juvenile court matters, appointed by the President Pro Tempore of the Senate;
- (7) A prosecuting or circuit attorney, appointed by the Speaker of the House of Representatives;
- (8) A juvenile officer from a circuit court, appointed by the President Pro Tempore of the Senate;
- (9) The Commissioner of Education or his or her designee;
- (10) The Director of the Department of Social Services or his or her designee;
- (11) The Director of the Department of Mental Health or his or her designee;
- (12) One representative from the Missouri Police Chiefs Association, appointed by the President Pro Tempore of the Senate, and one representative from the Missouri Sheriffs Association, appointed by the Speaker of the House of Representatives;
- (13) One representative from the Office of Child Advocate;
- (14) One medical provider with professional expertise in child abuse and medical forensics; and
- (15) Four representatives from geographically diverse nongovernmental organizations that assist victims of human trafficking, two of whom shall be appointed by the President Pro Tempore of the Senate and two of whom shall be appointed by the Speaker of the House of Representatives; and

BE IT FURTHER RESOLVED that the staffs of Senate Research, House Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the task force, its members, and any staff assigned to the task force shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Task Force or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the task force shall meet within two months from adoption of this resolution; and

BE IT FURTHER RESOLVED that the task force shall report a summary of its activities and any recommendations for legislation to the General Assembly by January 1, 2017; and

BE IT FURTHER RESOLVED that the Human Trafficking Task Force is authorized to function during the legislative interim of both the first and second regular sessions of the 98th General Assembly, as authorized by *State v. Atterbury*, 300 S.W.2d 806 (Mo. 1957); and

BE IT FURTHER RESOLVED that the task force shall terminate on January 1, 2017; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Attorney General, the Director of the Department of Public Safety, the Director of the Department of Corrections, the Director of the Department of Mental Health, the Commissioner of Education, and the Director of the Department of Social Services.

In which the concurrence of the Senate is respectfully requested.

SENATE BILLS FOR PERFECTION

Senator Schmitt moved that **SB 401** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Schmitt, **SB 401** was declared perfected and ordered printed.

Senator Libla moved that **SB 540**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Libla, **SB 540**, with **SS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 401** and **SB 334**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 800, regarding the One Hundredth Birthday of Bernice Mathis Smith, Pineville, which was adopted.

Senator Wallingford offered Senate Resolution No. 801, regarding Thomas J. Steska, Perryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 802, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Paul Stiens, Maryville, which was adopted.

Senator Holsman offered Senate Resolution No. 803, regarding Matt Hauser, which was adopted.

Senator Holsman offered Senate Resolution No. 804, regarding Gabe Lathrop, which was adopted.

Senator Holsman offered Senate Resolution No. 805, regarding Zane Groom, which was adopted.

Senator Holsman offered Senate Resolution No. 806, regarding David Hall, which was adopted.

Senator Nasheed offered Senate Resolution No. 807, regarding the death of Johnnie J. Glenn, Sr., which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Matt Wenzel; and his daughters, Chloe and Hannah, Chillicothe; and Chloe and Hannah were made honorary pages.

Senator Nasheed introduced to the Senate, Dave Chilenski; and members of the Missouri Wing of the Civil Air Patrol, St. Louis.

Senator Kehoe introduced to the Senate, Laney Clemens, Tyler Clark and Jim Womack; and ninth grade students from Simonsen Ninth Grade Center, Jefferson City.

Senator Walsh introduced to the Senate, Joshua Crow, Troy.

Senator Hegeman introduced to the Senate, Kasey Bailey, Instructor; and students from Trenton High School, American Legion Youth in Government Day.

On behalf of Senator Schaefer, Senator Kehoe introduced to the Senate, MA3 Chris Browning, United States Navy; his grandmothers, Pauline Richardson and Alice Browning; and Robert Carmichael.

Senator Sater introduced to the Senate, Umar Shahraz, Parvaz, and Yasmin Akhtar, Purdy.

Senator Pearce introduced to the Senate, Matt Cleveland; Kristen Lorenz; and Michael Fisk, Knob Noster.

Senator Kehoe introduced to the Senate, Mikala Jungmeyer, Russellville.

Senator Walsh introduced to the Senate, Mitchell McGill, Highland, Illinois.

Senator Parson introduced to the Senate, sponsors, Joe Grande and Jason Aabye; and students: René Cabrales, Tristen Good, Brian Dunnihoo, and Caleb Aabye, Stockton.

Senator Holsman introduced to the Senate, eighth grade students from Visitation Catholic School, Kansas City.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-SECOND DAY–WEDNESDAY, APRIL 15, 2015

FORMAL CALENDAR**HOUSE BILLS ON SECOND READING**

HCS for HB 712
HCS for HBs 35 & 323
HB 229-McCaherty
HCS for HB 380

HB 1022-Gosen
HB 410-Kelley
HCS for HB 882
HCS for HB 319

HB 254-Crawford
HCS for HB 1063
HCS for HB 1019
HCS for HB 272
HCS for HB 14
HB 523-Burlison
HCS for HB 637

HB 982-Rowden
HB 336-McGaugh
HCS for HBs 636 & 645
HCS for HB 926
HB 148-Fitzpatrick
HCS for HB 268
HCS for HB 811

THIRD READING OF SENATE BILLS

- | | |
|---|---|
| 1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight) | 6. SB 389-Silvey and Walsh
(In Fiscal Oversight) |
| 2. SCS for SB 56-Munzlinger
(In Fiscal Oversight) | 7. SCS for SB 328-Schupp |
| 3. SS for SB 201-Dixon
(In Fiscal Oversight) | 8. SCS for SB 190-Curls |
| 4. SB 203-Dixon (In Fiscal Oversight) | 9. SS for SB 365-Schmitt |
| 5. SB 155-Nasheed (In Fiscal Oversight) | 10. SS#2 for SB 386-Keaveny |
| | 11. SB 401-Schmitt and Richard |
| | 12. SB 334-Nasheed |

SENATE BILLS FOR PERFECTION

- | | |
|------------------------------|-----------------------------------|
| 1. SB 339-Munzlinger | 19. SB 305-Onder |
| 2. SB 87-Emery, with SCS | 20. SB 369-Pearce |
| 3. SB 53-Schaaf | 21. SB 435-Walsh, with SCS |
| 4. SB 55-Munzlinger | 22. SB 232-Kehoe, with SCS |
| 5. SB 500-Riddle | 23. SB 366-Schmitt |
| 6. SB 469-Munzlinger | 24. SB 299-Pearce |
| 7. SB 400-Onder | 25. SB 430-Curls |
| 8. SB 416-Wasson | 26. SB 268-Pearce, with SCS |
| 9. SB 457-Sater | 27. SB 539-Brown, with SCS |
| 10. SB 517-Wasson, with SCS | 28. SB 488-Cunningham |
| 11. SB 200-Dixon | 29. SB 69-LeVota, with SCS |
| 12. SB 91-Dixon, with SCS | 30. SB 561-Wasson |
| 13. SB 112-Dixon, with SCS | 31. SB 481-Onder, with SCS |
| 14. SB 321-Hegeman, with SCS | 32. SB 567-Chappelle-Nadal, et al |
| 15. SB 304-Keaveny, with SCS | 33. SB 145-Pearce, with SCS |
| 16. SB 141-Parson | 34. SB 354-Sater, with SCS |
| 17. SB 352-Schaefer | 35. SB 314-Wallingford |
| 18. SB 377-Schatz | 36. SB 463-Dixon |

37. SB 420-Schmitt
 38. SB 151-Sater
 39. SB 476-Kehoe
 40. SB 225-Romine, with SCS

41. SB 373-Libla
 42. SB 371-Munzlinger
 43. SB 317-Brown
 44. SB 474-Wallingford

HOUSE BILLS ON THIRD READING

HB 92-Miller (Kehoe)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)
 SB 59-Dixon
 SB 80-Dixon, with SCS
 SB 142-Romine, with SCS & SS#2 for SCS
 (pending)
 SB 159-Parson
 SB 167-Schaaf, with SCS
 SB 199-Dixon, et al, with SCS
 SB 227-Emery, with SS (pending)
 SB 233-Kehoe, with SCS & SA 2 (pending)
 SB 302-Riddle, with SCS (pending)
 SBs 331 & 21-Libla, with SCS & SS for
 SCS (pending)

SB 358-Kehoe
 SB 372-Keaveny, with SCS (pending)
 SB 424-Pearce, with SA 1 (pending)
 SB 433-Dixon and Dempsey
 SB 452-Schmitt, et al, with SA 1 & point
 of order (pending)
 SB 475-Dempsey
 SB 540-Libla, with SS (pending)
 SJR 7-Richard and Wallingford
 SJR 12-Onder, with SCS (pending)

HOUSE BILLS ON THIRD READING

SCS for HCS for HB 42 (Pearce)
 (In Fiscal Oversight)

HB 150-Fitzpatrick (Kehoe)
 (In Fiscal Oversight)

CONSENT CALENDAR

House Bills

Reported 4/9

HB 125-Black (Romine)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1,
HA 2, as amended, HA 3, as
amended & HA 4

SS#2 for SCS for SB 24-Sater, with HCS,
as amended (Senate adopted CCR and
passed CCS)

HCS for HB 2, with SCS (Schaefer)

HCS for HB 3, with SCS (Schaefer)

HCS for HB 4, with SCS (Schaefer)

HCS for HB 5, with SCS (Schaefer)

HCS for HB 6, with SCS (Schaefer)

HCS for HB 7, with SCS (Schaefer)

HCS for HB 8, with SCS (Schaefer)

HCS for HB 9, with SCS (Schaefer)

HCS for HB 10, with SCS (Schaefer)

HCS for HB 11, with SCS, as amended
(Schaefer)

HCS for HB 12, with SS for SCS (Schaefer)

HCS for HB 13, with SCS (Schaefer)

RESOLUTIONS

Reported from Committee

SCR 13-Curls

SCRs 21, 19 & 23-Dixon, et al, with SCS

To be Referred

HCR 38-Haahr

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-SECOND DAY—WEDNESDAY, APRIL 15, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Like good stewards of the manifold grace of God, serve one another with whatever gift each of you has received.” (I Peter 4:10)

Almighty God, make us good stewards of Your varied grace in our daily life. May what we do here, and away from here, help us to witness to others so they may trust in You their God. We ask You to provide us with strength to live for others to Your praise and glory. And, we ask that You comfort Senator Emery and his family at the death of his Mother. Bless them and provide them with the memory of Your mercy and goodness. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from AISU-Image Specialists were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

Absent—Senators—None

Absent with leave—Senators

Emery Schatz—2

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 808, regarding the Fifty-fifth Wedding Anniversary of Mr. and Mrs. Jacob “Jake” Francka, Brighton, which was adopted.

Senator Schaefer offered Senate Resolution No. 809, regarding Mike Alden, which was adopted.

Senator Curls offered Senate Resolution No. 810, regarding Reverend Ivy A. Ganaway, Kansas City, which was adopted.

Senator Riddle offered Senate Resolution No. 811, regarding Myles Strid, Fulton, which was adopted.

Senator Riddle offered Senate Resolution No. 812, regarding the One Hundredth Birthday of Phyllis Dixon, Paris, which was adopted.

SENATE BILLS FOR PERFECTION

At the request of Senator Munzlinger, **SB 339** was placed on the Informal Calendar.

SB 87, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schaaf, **SB 53** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 55** was placed on the Informal Calendar.

At the request of Senator Riddle, **SB 500** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 469** was placed on the Informal Calendar.

SB 400 was placed on the Informal Calendar.

At the request of Senator Wasson, **SB 416** was placed on the Informal Calendar.

At the request of Senator Sater, **SB 457** was placed on the Informal Calendar.

At the request of Senator Wasson, **SB 517**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Dixon, **SB 200** was placed on the Informal Calendar.

At the request of Senator Dixon, **SB 91**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Dixon, **SB 112**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Hegeman, **SB 321**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Keaveny, **SB 304**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Parson, **SB 141** was placed on the Informal Calendar.

SB 352 was placed on the Informal Calendar.

SB 377 was placed on the Informal Calendar.

At the request of Senator Onder, **SB 305** was placed on the Informal Calendar.

At the request of Senator Pearce, **SB 369** was placed on the Informal Calendar.

At the request of Senator Walsh, **SB 435**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kehoe, **SB 232**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schmitt, **SB 366** was placed on the Informal Calendar.

At the request of Senator Pearce, **SB 299** was placed on the Informal Calendar.

At the request of Senator Curls, **SB 430** was placed on the Informal Calendar.

At the request of Senator Pearce, **SB 268**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Brown, **SB 539**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 488** was placed on the Informal Calendar.

SB 69, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wasson, **SB 561** was placed on the Informal Calendar.

At the request of Senator Onder, **SB 481**, with **SCS**, was placed on the Informal Calendar.

SB 567 was placed on the Informal Calendar.

At the request of Senator Pearce, **SB 145**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Sater, **SB 354**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 314** was placed on the Informal Calendar.

At the request of Senator Dixon, **SB 463** was placed on the Informal Calendar.

At the request of Senator Schmitt, **SB 420** was placed on the Informal Calendar.

At the request of Senator Sater, **SB 151** was placed on the Informal Calendar.

At the request of Senator Kehoe, **SB 476** was placed on the Informal Calendar.

At the request of Senator Romine, **SB 225**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Libla, **SB 373** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 371** was placed on the Informal Calendar.

At the request of Senator Brown, **SB 317** was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 474** was placed on the Informal Calendar.

Senator Dempsey moved that **SB 475** be taken up for perfection, which motion prevailed.

Senator Dempsey offered **SS** for **SB 475**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 475

An Act to repeal section 105.716, RSMo, and to enact in lieu thereof two new sections relating to the intervention of the general assembly in certain civil actions.

Senator Dempsey moved that **SS** for **SB 475** be adopted.

Senator Pearce assumed the Chair.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 475, Page 1, Section 21.415, Line 7, by striking the words “on behalf of the general assembly”; and further amend line 15 by striking the words “general assembly”

and inserting in lieu thereof the following: “**speaker of the house of representatives and the president pro tempore of the senate**”; and further amend line 16 by striking the words “the general assembly” and inserting in lieu thereof the following: “**the speaker of the house of representatives and the president pro tempore of the senate**”; and further amend line 19 by striking the words “by agreement of the”; and further amend said bill and section, page 2, lines 1-2 by striking all of said lines and inserting in lieu thereof the following: “**upon adoption of a concurrent resolution by the general assembly.**”; and further amend lines 4-5 by striking the words “on behalf of the general assembly”; and further amend line 7 by striking the words “general assembly” and inserting in lieu thereof the following: “**speaker of the house of representatives and the president pro tempore of the senate**”; and further amend line 9 by striking the words “general assembly” and inserting in lieu thereof the following: “**speaker of the house of representatives and the president pro tempore of the senate**”; and further amend line 13 by striking the words “general assembly” and inserting in lieu thereof the following: “**speaker of the house of representatives and the president pro tempore of the senate**”; and further amend line 15 by striking the words “general assembly incurs”; and inserting in lieu thereof the following: “**speaker of the house of representatives and the president pro tempore of the senate incur**”; and

Further amend said bill, page 4, section 105.716, line 9 by striking the words “general assembly” and inserting in lieu thereof the following: “**speaker of the house of representatives and the president pro tempore of the senate**”; and further amend line 14 by striking the words “general assembly when the general assembly is a party” and inserting in lieu thereof the following: “**speaker of the house of representatives and the president pro tempore of the senate when they are parties**”.

Senator Keaveny moved that the above amendment be adopted, which motion failed.

At the request of Senator Dempsey, **SB 475**, with **SS** (pending), was placed on the Informal Calendar.

Senator Dixon moved that **SB 200** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Dixon, **SB 200** was declared perfected and ordered printed.

Senator Kehoe moved that **SB 476** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Kehoe offered **SS** for **SB 476**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 476

An Act to repeal sections 259.010, 259.020, 259.030, 259.050, 259.070, 259.080, 259.100, 259.190, 259.210, 260.500, 644.011, and 644.016, RSMo, and to enact in lieu thereof thirteen new sections relating to the department of natural resources.

Senator Kehoe moved that **SS** for **SB 476** be adopted.

Senator Kraus assumed the Chair.

Senator Romine offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 476, Page 22, Section 259.210, Line 1 of said page, by inserting immediately after said line the following:

“260.235. Any person aggrieved by a forfeiture of any financial assurance instrument, civil or administrative penalty or denial, suspension or revocation of a permit required by section 260.205 or a modification to a permit issued under section 260.205 or any disapproval of the plan required by section 260.220, may appeal such decision as provided in [section] **sections 621.250**[, subject to judicial review as provided by law] **and 640.013 by filing a petition with the administrative hearing commission within thirty days of the decision.** The notice of the department shall be effected by certified mail and shall set forth the reasons for such forfeiture, disapproval, denial, suspension, civil penalty or revocation. The department may seek an injunction in the circuit court in which the facility is located requiring the facility for which the transfer of ownership has been denied, or the permit or modification of the permit has been denied, suspended or revoked, to cease operations from the date ordered by the court until such time as the appeal is resolved or obtain a performance bond in the amount and manner as prescribed by rule. The department’s action seeking an injunction shall be based on the seriousness of the threat to the environment which continued operation of the facility poses. A bond may be required in order to stay the effect of the department’s action until the appeal is resolved, in which case such bond shall remain in place until the appeal is resolved. If the department’s decision is upheld, the bond shall be forfeited and placed in a separate subaccount of the solid waste management fund. **Once the administrative hearing commission has reviewed the appeal, the administrative hearing commission shall make a final decision on the forfeiture of any financial assurance instrument, civil or administrative penalty, denial, suspension, revocation, or modification of a permit or disapproval of the plan required by section 260.220. The administrative hearing commission shall mail copies of its final decision to the parties to the appeal or their counsel of record. The commission’s decision shall be subject to judicial review pursuant to chapter 536, except that the court of appeals district with territorial jurisdiction coextensive with the county where the solid waste processing facility or disposal area is located or is to be located shall have original jurisdiction. No judicial review shall be available until and unless all administrative remedies are exhausted.**

260.395. 1. After six months from the effective date of the standards, rules and regulations adopted by the commission pursuant to section 260.370, it shall be unlawful for any person to transport any hazardous waste in this state without first obtaining a hazardous waste transporter license. Any person transporting hazardous waste in this state shall file an application for a license pursuant to this subsection which shall:

(1) Be submitted on a form provided for this purpose by the department and shall furnish the department with such equipment identification and data as may be necessary to demonstrate to the satisfaction of the department that equipment engaged in such transportation of hazardous waste, and other equipment as designated in rules and regulations pursuant to sections 260.350 to 260.430, is adequate to provide protection of the health of humans and the environment and to comply with the provisions of any federal hazardous waste management act and sections 260.350 to 260.430 and the standards, rules and regulations adopted pursuant to sections 260.350 to 260.430. If approved by the department, this demonstration of protection may be satisfied by providing certification that the equipment so identified meets and will be operated in accordance with the rules and regulations of the Missouri public service commission and the federal Department of Transportation for the transportation of the types of hazardous materials for which it will be used;

(2) Include, as specified by rules and regulations, demonstration of financial responsibility, including, but not limited to, guarantees, liability insurance, posting of bond or any combination thereof which shall be related to the number of units, types and sizes of equipment to be used in the transport of hazardous

waste by the applicant;

(3) Include, as specified in rules and regulations, a fee payable to the state of Missouri which shall consist of an annual application fee, plus an annual use fee based upon tonnage, mileage or a combination of tonnage and mileage. The fees established pursuant to this subdivision shall be set to generate, as nearly as is practicable, six hundred thousand dollars annually. No fee shall be collected pursuant to this subdivision from railroads that pay a fee pursuant to subsection 18 of this section. Fees collected pursuant to this subdivision shall be deposited in the hazardous waste fund created pursuant to section 260.391.

2. If the department determines the application conforms to the provisions of any federal hazardous waste management act and sections 260.350 to 260.430 and the standards, rules and regulations adopted pursuant to sections 260.350 to 260.430, it shall issue the hazardous waste transporter license with such terms and conditions as it deems necessary to protect the health of humans and the environment. The department shall act within ninety days after receipt of the application. If the department denies the license, it shall issue a report to the applicant stating the reason for denial of the license.

3. A license may be suspended or revoked whenever the department determines that the equipment is or has been operated in violation of any provision of sections 260.350 to 260.430 or any standard, rule or regulation, order, or license term or condition adopted or issued pursuant to sections 260.350 to 260.430, poses a threat to the health of humans or the environment, or is creating a public nuisance.

4. Whenever a license is issued, renewed, denied, suspended or revoked by the department, any aggrieved person, by petition filed with the [department] **administrative hearing commission** within thirty days of the decision, may appeal such decision [and shall be entitled to a hearing as provided in section 260.400] **as provided by sections 621.250 and 640.013. Once the administrative hearing commission has reviewed the appeal, the administrative hearing commission shall issue a recommended decision to the commission on license issuance, renewal, denial, suspension, or revocation. The commission shall issue its own decision, based on the appeal, for license issuance, renewal, denial, suspension, or revocation. If the commission changes a finding of fact or conclusion of law made by the administrative hearing commission, or modifies or vacates the decision recommended by the administrative hearing commission, it shall issue its own decision, which shall include findings of fact and conclusions of law. The commission shall mail copies of its final decision to the parties to the appeal or their counsel of record. The commission's decision shall be subject to judicial review pursuant to chapter 536. No judicial review shall be available until and unless all administrative remedies are exhausted.**

5. A license shall be issued for a period of one year and shall be renewed upon proper application by the holder and a determination by the department that the applicant is in compliance with all provisions of sections 260.350 to 260.430 and all standards, rules and regulations, orders and license terms and conditions adopted or issued pursuant to sections 260.350 to 260.430.

6. A license is not required for the transport of any hazardous waste on the premises where it is generated or onto contiguous property owned by the generator thereof, or for those persons exempted in section 260.380. Nothing in this subsection shall be interpreted to preclude the department from inspecting unlicensed hazardous waste transporting equipment and to require that it be adequate to provide protection for the health of humans and the environment.

7. After six months from the effective date of the standards, rules and regulations adopted by the commission pursuant to section 260.370, it shall be unlawful for any person to construct, substantially alter

or operate, including operations specified in the rules and regulations, a hazardous waste facility without first obtaining a hazardous waste facility permit for such construction, alteration or operation from the department. Such person must submit to the department at least ninety days prior to submitting a permit application a letter of intent to construct, substantially alter or operate any hazardous waste disposal facility. The person must file an application within one hundred eighty days of the filing of a letter of intent unless granted an extension by the commission. The department shall publish such letter of intent as specified in section 493.050 within ten days of receipt of such letter. The letter shall be published once each week for four weeks in the county where the hazardous waste disposal facility is proposed. Once such letter is submitted, all conditions for the permit application evaluation purposes in existence as of the date of submission shall be deemed frozen, in that no subsequent action by any person to change such conditions in an attempt to thwart a fair and impartial decision on the application for a permit shall be allowed as grounds for denial of the permit. Any person before constructing, substantially altering or operating a hazardous waste facility in this state shall file an application for a permit which shall:

(1) Be submitted on a form provided for this purpose by the department and shall furnish the department with plans, specifications and such other data as may be necessary to demonstrate to the satisfaction of the department that such facility does or will provide adequate protection of the health of humans and the environment and does or will comply with the provisions of any federal hazardous waste management act and sections 260.350 to 260.430 and the standards, rules and regulations adopted pursuant to sections 260.350 to 260.430;

(2) Include plans, designs, engineering reports and relevant data for construction, alteration or operation of a hazardous waste facility, to be submitted to the department by a registered professional engineer licensed by this state;

(3) Include, as specified by rules and regulations, demonstration of financial responsibility, including, but not limited to, guarantees, liability insurance, posting of bond or any combination thereof, which shall be related to type and size of facility;

(4) Include such environmental and geologic information, assessments and studies as required by the rules and regulations of the commission;

(5) Include a fee payable to the state of Missouri which shall not exceed one thousand dollars, which shall cover the first year of the permit, if issued, but which is not refundable. If the permit is issued for more than one year, a fee equal in amount to the first year's fee shall be paid to the state of Missouri prior to issuance of the permit for each year the permit is to be in effect beyond the first year;

(6) The department shall supervise any field work undertaken to collect geologic and engineering data for submission with the application. The state geologist and departmental engineers shall review the geologic and engineering plans, respectively, and attest to their accuracy and adequacy. The applicant shall pay all reasonable costs, as determined by the commission, incurred by the department pursuant to this subsection.

8. (1) Prior to issuing or renewing a hazardous waste facility permit, the department shall issue public notice by press release or advertisement and shall notify all record owners of adjoining property by mail directed to the last known address, and the village, town or city, if any, and the county in which the hazardous waste facility is located; and, upon request, shall hold a public hearing after public notice as required in this subsection at a location convenient to the area affected by the issuance of the permit.

(2) Prior to issuing or renewing a hazardous waste disposal facility permit the department shall issue public notice by press release and advertisement and shall notify all record owners of property, within one mile of the outer boundaries of the site, by mail directed to the last known address; and shall hold a public hearing after public notice as required in this subsection at a location convenient to the area affected by the issuance of the permit.

9. If the department determines that the application conforms to the provisions of any federal hazardous waste management act and sections 260.350 to 260.430 and the standards, rules and regulations adopted pursuant to sections 260.350 to 260.430, it shall issue the hazardous waste facility permit, with such terms and conditions and require such testing and construction supervision as it deems necessary to protect the health of humans or the environment. The department shall act within one hundred and eighty days after receipt of the application. If the department denies the permit, it shall issue a report to the applicant stating the reason for denial of a permit.

10. A permit may be suspended or revoked whenever the department determines that the hazardous waste facility is, or has been, operated in violation of any provision of sections 260.350 to 260.430 or any standard, rule or regulation, order or permit term or condition adopted or issued pursuant to sections 260.350 to 260.430, poses a threat to the health of humans or the environment or is creating a public nuisance.

11. Whenever a permit is issued, renewed, denied, suspended or revoked by the department, any aggrieved person, by petition filed with the [department] **administrative hearing commission** within thirty days of the decision, may appeal such decision [and shall be entitled to a hearing as provided in section 260.400] **as provided by sections 621.250 and 640.013. Once the administrative hearing commission has reviewed the appeal, the administrative hearing commission shall issue a recommended decision to the commission on permit issuance, renewal, denial, suspension, or revocation. The commission shall issue its own decision, based on the appeal, for permit issuance, renewal, denial, suspension, or revocation. If the commission changes a finding of fact or conclusion of law made by the administrative hearing commission, or modifies or vacates the decision recommended by the administrative hearing commission, it shall issue its own decision, which shall include findings of fact and conclusions of law. The commission shall mail copies of its final decision to the parties to the appeal or their counsel of record. The commission's decision shall be subject to judicial review pursuant to chapter 536, except that the court of appeals district with territorial jurisdiction coextensive with the county where the hazardous waste facility is to be located or is located, shall have original jurisdiction. No judicial review shall be available until and unless all administrative remedies are exhausted.**

12. A permit shall be issued for a fixed term, which shall not exceed ten years in the case of any land disposal facility, storage facility, incinerator, or other treatment facility. Nothing in this subsection shall preclude the department from reviewing and modifying a permit at any time during its term. Review of any application for a permit renewal shall consider improvements in the state of control and measurement technology as well as changes in applicable regulations. Each permit issued pursuant to this section shall contain such terms and conditions as the department determines necessary to protect human health and the environment, and upon proper application by the holder and a determination by the department that the applicant is in compliance with all provisions of sections 260.350 to 260.430 and all standards, rules and regulations, orders and permit terms and conditions adopted or issued pursuant to sections 260.350 to 260.430.

13. A hazardous waste facility permit is not required for:

(1) On-site storage of hazardous wastes where such storage is exempted by the commission by rule or regulation; however, such storage must conform to the provisions of any federal hazardous waste management act and sections 260.350 to 260.430 and the applicable standards, rules and regulations adopted pursuant to sections 260.350 to 260.430 and any other applicable hazardous materials storage and spill-prevention requirements provided by law;

(2) A publicly owned treatment works which has an operating permit pursuant to section 644.051 and is in compliance with that permit;

(3) A resource recovery facility which the department certifies uses hazardous waste as a supplement to, or substitute for, nonwaste material, and that the sole purpose of the facility is manufacture of a product rather than treatment or disposal of hazardous wastes;

(4) That portion of a facility engaged in hazardous waste resource recovery, when the facility is engaged in both resource recovery and hazardous waste treatment or disposal, provided the owner or operator can demonstrate to the department's satisfaction and the department finds that such portion is not intended and is not used for hazardous waste treatment or disposal.

14. Facilities exempted pursuant to subsection 13 of this section must comply with the provisions of subdivisions (3) to (7) of section 260.390 and such other requirements, to be specified by rules and regulations, as are necessary to comply with any federal hazardous waste management act or regulations hereunder. Generators who use such an exempted facility shall keep records of hazardous wastes transported, except by legal flow through sewer lines, to the facility and submit such records to the department in accordance with the provisions of section 260.380 and the standards, rules and regulations adopted pursuant to sections 260.350 to 260.430. Any person, before constructing, altering or operating a resource recovery facility in this state shall file an application for a certification. Such application shall include:

(1) Plans, designs, engineering reports and other relevant information as specified by rule that demonstrate that the facility is designed and will operate in a manner protective of human health and the environment; and

(2) An application fee of not more than five hundred dollars for a facility that recovers waste generated at the same facility or an application fee of not more than one thousand dollars for a facility that recovers waste generated at off-site sources. Such fees shall be deposited in the hazardous waste fund created in section 260.391. The department shall review such application for conformance with applicable laws, rules and standard engineering principles and practices. The applicant shall pay to the department all reasonable costs, as determined by the commission, incurred by the department pursuant to this subsection. All such funds shall be deposited in the hazardous waste fund created in section 260.391.

15. The owner or operator of any hazardous waste facility in existence on September 28, 1977, who has achieved federal interim status pursuant to 42 U.S.C. 6925(e), and who has submitted to the department Part A of the federal facility permit application, may continue to receive and manage hazardous wastes in the manner as specified in the Part A application, and in accordance with federal interim status requirements, until completion of the administrative disposition of a permit application submitted pursuant to sections 260.350 to 260.430. The department may at any time require submission of, or the owner or operator may at any time voluntarily submit, a complete application for a permit pursuant to sections 260.350 to 260.430

and commission regulations. The authority to operate pursuant to this subsection shall cease one hundred eighty days after the department has notified an owner or operator that an application for permit pursuant to sections 260.350 to 260.430 must be submitted, unless within such time the owner or operator submits a completed application therefor. Upon submission of a complete application, the authority to operate pursuant to this subsection shall continue for such reasonable time as is required to complete the administrative disposition of the permit application. If a facility loses its federal interim status, or the Environmental Protection Agency requires the owner or operator to submit Part B of the federal application, the department shall notify the owner or operator that an application for a permit must be submitted pursuant to this subsection. In addition to compliance with the federal interim status requirements, the commission shall have the authority to adopt regulations requiring persons operating pursuant to this subsection to meet additional state interim status requirements.

16. No person, otherwise qualified pursuant to sections 260.350 to 260.430 for a license to transport hazardous wastes or for a permit to construct, substantially alter or operate a hazardous waste facility, shall be denied such license or permit on the basis of a lack of need for such transport service or such facility because of the existence of other services or facilities capable of meeting that need; except that permits for hazardous waste facilities may be denied on determination made by the department that the financial resources of the persons applying are such that the continued operation of the sites in accordance with sections 260.350 to 260.430 cannot be reasonably assured or on determination made by the department that the probable volume of business is insufficient to ensure and maintain the solvency of then existing permitted hazardous waste facilities.

17. All hazardous waste landfills constructed after October 31, 1980, shall have a leachate collection system. The rules and regulations of the commission shall treat and protect all aquifers to the same level of protection. The provisions of this subsection shall not apply to the disposal of tailings and slag resulting from mining, milling and primary smelting operations.

18. Any railroad corporation as defined in section 388.010 that transports any hazardous waste as defined in section 260.360 or any hazardous substance as defined in section 260.500 shall pay an annual fee of three hundred fifty dollars. Fees collected pursuant to this subsection shall be deposited in the hazardous waste fund created in section 260.391.”; and

Further amend said bill, page 25, section 260.500, line 14 of said page, by inserting immediately after said line the following:

“444.600. 1. All applications for a permit shall be filed with the director who shall promptly investigate the application and make a [recommendation to the commission] **decision** within thirty days after the application is received as to whether the permit should be issued or denied. If the director is not satisfied with the information supplied by the applicant, he **or she** shall recommend denial of the permit. The director shall promptly notify the applicant of this action and at the same time publish a notice of the [recommendation] **decision** in any newspaper with general circulation in the counties where the land is located, and shall send notice to those persons registered with the director pursuant to section 444.720. **The director’s decision shall be deemed to be the decision of the director of the department of natural resources and shall be subject to appeal to the administrative hearing commission as provided by sections 621.250 and 640.013.**

2. [If the recommendation of the director is to deny the permit, a hearing as provided in sections 444.500 to 444.755 shall be held by the commission if requested by the applicant within thirty days of the date of

notice of the recommendation of the director.

3. If the recommendation of the director is for issuance of the permit, the commission may issue or deny the permit without a hearing provided the matter is passed upon at a public meeting no sooner than thirty days from the date of notice of the recommendation of the director, except that upon petition of any person aggrieved by the granting of the permit, a hearing shall be held as provided in section 444.680.

4. If the commission denies a permit, the applicant may petition the commission, within thirty days of notice of its action, for a hearing. If no petition is filed within the thirty day period, the decision of the commission is final and the applicant shall have no right of court review.

5. In any hearing held pursuant to this section the burden of proof shall be on the applicant for a permit. Any decision of the commission made pursuant to a hearing held under this section is subject to judicial review as provided in section 444.700.] **Whenever a strip mine operator permit provided under section 444.540 is issued, denied, suspended, or revoked by the department of natural resources, any aggrieved person, by petition filed with the administrative hearing commission within thirty days of the decision, may appeal such decision as provided by sections 621.250 and 640.013. For purposes of an appeal, the administrative hearing commission may consider, based on competent and substantial scientific evidence on the record, whether an interested party's health, safety, or livelihood will be unduly impaired by the issuance, denial, suspension, or revocation of the permit. The administrative hearing commission may also consider, based on competent and substantial scientific evidence on the record, whether the operator has demonstrated, during the five-year period immediately preceding the date of the permit application, a pattern of noncompliance at other locations in Missouri that suggests a reasonable likelihood of future acts of noncompliance. In determining whether a reasonable likelihood of noncompliance will exist in the future, the administrative hearing commission may look to past acts of noncompliance in Missouri, but only to the extent they suggest a reasonable likelihood of future acts of noncompliance. Such past acts of noncompliance in Missouri, in and of themselves, are an insufficient basis to suggest a reasonable likelihood of future acts of noncompliance. In addition, such past acts shall not be used as a basis to suggest a reasonable likelihood of future acts of noncompliance unless the noncompliance has caused or has the potential to cause, a risk to human health or to the environment, or has caused or has potential to cause pollution, or was knowingly committed, or is defined by the United States Environmental Protection Agency as other than minor. If a hearing petitioner demonstrates or the administrative hearing commission finds either present acts of noncompliance or a reasonable likelihood that the permit seeker or the operations of associated persons or corporations in Missouri will be in noncompliance in the future, such a showing will satisfy the noncompliance requirement in this subsection. In addition, such basis must be developed by multiple noncompliances of any environmental law administered by the Missouri department of natural resources at any single facility in Missouri that resulted in harm to the environment or impaired the health, safety, or livelihood of persons outside the facility. For any permit seeker that has not been in business in Missouri for the past five years, the administrative hearing commission may review the record of noncompliance in any state where the applicant has conducted business during the past five years. Once the administrative hearing commission has reviewed the appeal, the administrative hearing commission shall issue a recommended decision to the commission on permit issuance, denial, suspension, or revocation. The commission shall issue its own decision, based on the appeal, for permit issuance, denial, suspension, or revocation. If the commission changes a finding of fact or conclusion of law made by the administrative hearing commission, or modifies or vacates**

the decision recommended by the administrative hearing commission, it shall issue its own decision, which shall include findings of fact and conclusions of law. The commission shall mail copies of its final decision to the parties to the appeal or their counsel of record. The commission's decision shall be subject to judicial review pursuant to chapter 536, except that the court of appeals district with territorial jurisdiction coextensive with the county where the mine is located or is to be located shall have original jurisdiction. No judicial review shall be available until and unless all administrative remedies are exhausted.

444.773. 1. All applications for a permit shall be filed with the director, who shall promptly investigate the application and make a decision within six weeks after completion of the process provided in subsection 10 of section 444.772 to issue or deny the permit. If the director determines that the application has not fully complied with the provisions of section 444.772 or any rule or regulation promulgated pursuant to that section, the director may seek additional information from the applicant before making a decision to issue or deny the permit. The director shall consider any public comments when making the decision to issue or deny the permit. In issuing a permit, the director may impose reasonable conditions consistent with the provisions of sections 444.760 to 444.790.

[2.] The director's decision shall be deemed to be the decision of the director of the department of natural resources and shall be subject to appeal to the administrative hearing commission as provided by sections 640.013 and 621.250.

[3.] **2. Whenever a surface mining operation permit provided under section 444.772 is issued, denied, suspended, or revoked by the department of natural resources, any aggrieved person, by petition filed with the administrative hearing commission within thirty days of the decision, may appeal such decision as provided by sections 621.250 and 640.013.** For purposes of an appeal, the administrative hearing commission may consider, based on competent and substantial scientific evidence on the record, whether an interested party's health, safety or livelihood will be unduly impaired by the issuance, **denial, suspension, or revocation** of the permit. The administrative hearing commission may also consider, based on competent and substantial scientific evidence on the record, whether the operator has demonstrated, during the five-year period immediately preceding the date of the permit application, a pattern of noncompliance at other locations in Missouri that suggests a reasonable likelihood of future acts of noncompliance. In determining whether a reasonable likelihood of noncompliance will exist in the future, the administrative hearing commission may look to past acts of noncompliance in Missouri, but only to the extent they suggest a reasonable likelihood of future acts of noncompliance. Such past acts of noncompliance in Missouri, in and of themselves, are an insufficient basis to suggest a reasonable likelihood of future acts of noncompliance. In addition, such past acts shall not be used as a basis to suggest a reasonable likelihood of future acts of noncompliance unless the noncompliance has caused or has the potential to cause, a risk to human health or to the environment, or has caused or has potential to cause pollution, or was knowingly committed, or is defined by the United States Environmental Protection Agency as other than minor. If a hearing petitioner **demonstrates** or the administrative hearing commission [demonstrates] **finds** either present acts of noncompliance or a reasonable likelihood that the permit seeker or the operations of associated persons or corporations in Missouri will be in noncompliance in the future, such a showing will satisfy the noncompliance requirement in this subsection. In addition, such basis must be developed by multiple noncompliances of any environmental law administered by the Missouri department of natural resources at any single facility in Missouri that resulted in harm to the environment or impaired the health, safety or livelihood of persons outside the facility. For any permit seeker that has

not been in business in Missouri for the past five years, the administrative hearing commission may review the record of noncompliance in any state where the applicant has conducted business during the past five years. [Once] The administrative hearing commission [has reviewed the appeal, the administrative hearing commission] shall [make a recommendation] **issue a recommended decision** to the commission on permit issuance [or], **denial, suspension, or revocation**.

[4.] The commission shall issue its own decision, based on the appeal, for permit issuance [or] **denial, suspension, or revocation**. If the commission changes a finding of fact or conclusion of law made by the administrative hearing commission, or modifies or vacates the decision recommended by the administrative hearing commission, it shall issue its own decision, which shall include findings of fact and conclusions of law. The commission shall mail copies of its final decision to the parties to the appeal or their counsel of record. The commission's decision shall be subject to judicial review pursuant to chapter 536, except that the court of appeals district with territorial jurisdiction coextensive with the county where the mine **is located or** is to be located shall have original jurisdiction. No judicial review shall be available until and unless all administrative remedies are exhausted.

444.980. Whenever a surface coal mining operation permit provided under section 444.815 or a coal exploration operation permit provided under section 444.845 is issued, denied, suspended, or revoked by the department of natural resources, any aggrieved person, by petition filed with the administrative hearing commission within thirty days of the decision, may appeal such decision as provided by sections 621.250 and 640.013. For purposes of an appeal, the administrative hearing commission may consider, based on competent and substantial scientific evidence on the record, whether an interested party's health, safety, or livelihood will be unduly impaired by the issuance, denial, suspension, or revocation of the permit. The administrative hearing commission may also consider, based on competent and substantial scientific evidence on the record, whether the operator has demonstrated, during the five-year period immediately preceding the date of the permit application, a pattern of noncompliance at other locations in Missouri that suggests a reasonable likelihood of future acts of noncompliance. In determining whether a reasonable likelihood of noncompliance will exist in the future, the administrative hearing commission may look to past acts of noncompliance in Missouri, but only to the extent they suggest a reasonable likelihood of future acts of noncompliance. Such past acts of noncompliance in Missouri, in and of themselves, are an insufficient basis to suggest a reasonable likelihood of future acts of noncompliance. In addition, such past acts shall not be used as a basis to suggest a reasonable likelihood of future acts of noncompliance unless the noncompliance has caused or has the potential to cause, a risk to human health or to the environment, or has caused or has potential to cause pollution, or was knowingly committed, or is defined by the United States Environmental Protection Agency as other than minor. If a hearing petitioner demonstrates or the administrative hearing commission finds either present acts of noncompliance or a reasonable likelihood that the permit seeker or the operations of associated persons or corporations in Missouri will be in noncompliance in the future, such a showing will satisfy the noncompliance requirement in this subsection. In addition, such basis must be developed by multiple noncompliances of any environmental law administered by the Missouri department of natural resources at any single facility in Missouri that resulted in harm to the environment or impaired the health, safety, or livelihood of persons outside the facility. For any permit seeker that has not been in business in Missouri for the past five years, the administrative hearing commission may review the record of noncompliance in any state where the applicant has conducted business during the past five years. Once the administrative hearing commission has reviewed the appeal, the

administrative hearing commission shall issue a recommended decision to the commission on permit issuance, denial, suspension, or revocation. The commission shall issue its own decision, based on the appeal, for permit issuance, denial, suspension, or revocation. If the commission changes a finding of fact or conclusion of law made by the administrative hearing commission, or modifies or vacates the decision recommended by the administrative hearing commission, it shall issue its own decision, which shall include findings of fact and conclusions of law. The commission shall mail copies of its final decision to the parties to the appeal or their counsel of record. The commission's decision shall be subject to judicial review pursuant to chapter 536, except that the court of appeals district with territorial jurisdiction coextensive with the county where the mine is located or is to be located shall have original jurisdiction. No judicial review shall be available until and unless all administrative remedies are exhausted.

621.250. 1. All authority to hear contested case administrative appeals granted in chapters 236, 256, 260, 444, 640, 643, and 644, and to the hazardous waste management commission in chapter 260, the [land reclamation] **Missouri mining** commission in chapter 444, the safe drinking water commission in chapter 640, the air conservation commission in chapter 643, and the clean water commission in chapter 644 shall be transferred to the administrative hearing commission under this chapter. The authority to render final decisions after hearing on appeals heard by the administrative hearing commission shall remain with the commissions listed in this subsection. For appeals pursuant to chapter 236, chapter 256, section 260.235, or section 260.249, the administrative hearing commission shall render a final decision rather than a recommended decision. The administrative hearing commission may render its recommended or final decision after hearing or through stipulation, consent order, agreed settlement or by disposition in the nature of default judgment, judgment on the pleadings, or summary determination, consistent with the requirements of this subsection and the rules and procedures of the administrative hearing commission.

2. Except as otherwise provided by law, any person or entity who is a party to, or who is aggrieved or adversely affected by, any finding, order, decision, or assessment for which the authority to hear appeals was transferred to the administrative hearing commission in subsection 1 of this section may file a notice of appeal with the administrative hearing commission within thirty days after any such finding, order, decision, or assessment is placed in the United States mail or within thirty days of any such finding, order, decision, or assessment being delivered, whichever is earlier. Within ninety days after the date on which the notice of appeal is filed the administrative hearing commission may hold hearings, and within one hundred twenty days after the date on which the notice of appeal is filed shall make a recommended decision, or a final decision where applicable, in accordance with the requirements of this section and the rules and procedures of the administrative hearing commission; provided, however, that the dates by which the administrative hearing commission is required to hold hearings and make a recommended decision may be extended at the sole discretion of the permittee as either petitioner or intervenor in the appeal.

3. Any decision by the director of the department of natural resources that may be appealed as provided in subsection 1 of this section shall contain a notice of the right of appeal in substantially the following language: "If you were adversely affected by this decision, you may be entitled to pursue an appeal before the administrative hearing commission. To appeal, you must file a petition with the administrative hearing commission within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the administrative hearing commission.". Within fifteen days after the

administrative hearing commission renders a recommended decision, it shall transmit the record and a transcript of the proceedings, together with the administrative hearing commission's recommended decision to the commission having authority to issue a final decision. The final decision of the commission shall be issued within one hundred eighty days of the date the notice of appeal in subsection 2 of this section is filed and shall be based only on the facts and evidence in the hearing record; provided, however, that the date by which the commission is required to issue a final decision may be extended at the sole discretion of the permittee as either petitioner or intervenor in the appeal. The commission may adopt the recommended decision as its final decision. The commission may change a finding of fact or conclusion of law made by the administrative hearing commission, or may vacate or modify the recommended decision issued by the administrative hearing commission, only if the commission states in writing the specific reason for a change made under this subsection.

4. In the event the person filing the appeal prevails in any dispute under this section, interest shall be allowed upon any amount found to have been wrongfully collected or erroneously paid at the rate established by the director of the department of revenue under section 32.065.

5. Appropriations shall be made from the respective funds of the department of natural resources to cover the administrative hearing commission's costs associated with these appeals.

6. In all matters heard by the administrative hearing commission under this section, the burden of proof shall comply with section 640.012. The hearings shall be conducted by the administrative hearing commission in accordance with the provisions of chapter 536 and its regulations promulgated thereunder.

7. No cause of action or appeal arising out of any finding, order, decision, or assessment of any of the commissions listed in subsection 1 of this section shall accrue in any court unless the party seeking to file such cause of action or appeal shall have filed a notice of appeal and received a final decision in accordance with the provisions of this section.

640.115. 1. Every municipal corporation, private corporation, company, partnership, federal establishment, state establishment or individual supplying or authorized to supply drinking water to the public within the state shall file with the department of natural resources a certified copy of the plans and surveys of the waterworks with a description of the methods of purification, treatment technology and source from which the supply of water is derived, and no source of supply shall be used without a written permit of approval issued to the continuing operating authority by the department of natural resources, or water dispensed to the public without first obtaining such written permit of approval. Prior to a change of permittee, the current permittee shall notify the department of the proposed change and the department shall perform a permit review.

2. Construction, extension or alteration of a public water system shall be in accordance with the rules and regulations of the safe drinking water commission.

3. Permit applicants shall show, as part of their application, that a permanent organization exists which will serve as the continuing operating authority for the management, operation, replacement, maintenance and modernization of the facility. Such continuing operating authority for all community water systems and nontransient, noncommunity water systems commencing operation after October 1, 1999, shall be required to have and maintain the managerial, technical and financial capacity, as determined by the department, to comply with sections 640.100 to 640.140.

4. Any community water system or nontransient, noncommunity water system against which an

administrative order has been issued for significant noncompliance with the federal Safe Drinking Water Act, as amended, sections 640.100 to 640.140 or any rule or regulation promulgated thereunder shall be required to show that a permanent organization exists that serves as the continuing operating authority for the facility and that such continuing operating authority has the managerial, technical and financial capacity to comply with sections 640.100 to 640.140 and regulations promulgated thereunder. If the water system cannot show to the department's satisfaction that such continuing operating authority exists, or if the water system is not making substantial progress toward compliance, the water system's permit may be revoked. The continuing operating authority may [reapply for a permit in accordance with rules promulgated by the commission] **appeal such decision to the administrative hearing commission as provided by sections 621.250 and 640.013.**

5. Whenever a permit is issued, denied, suspended, or revoked by the department, any aggrieved person, by petition filed with the administrative hearing commission within thirty days of the decision, may appeal such decision as provided by sections 621.250 and 640.013. Once the administrative hearing commission has reviewed the appeal, the administrative hearing commission shall issue a recommended decision to the commission on permit issuance, denial, suspension, or revocation. The commission shall issue its own decision, based on the appeal, for permit issuance, denial, suspension, or revocation. If the commission changes a finding of fact or conclusion of law made by the administrative hearing commission, or modifies or vacates the decision recommended by the administrative hearing commission, it shall issue its own decision, which shall include findings of fact and conclusions of law. The commission shall mail copies of its final decision to the parties to the appeal or their counsel of record. The commission's decision shall be subject to judicial review pursuant to chapter 536, except that the court of appeals district with territorial jurisdiction coextensive with the county where the waterworks is located, or is to be located, shall have original jurisdiction. No judicial review shall be available until and unless all administrative remedies are exhausted.

643.075. 1. It shall be unlawful for any person to commence construction of any air contaminant source in this state, without a permit [therefor], if such source is of a class fixed by regulation of the commission which requires a permit [therefor].

2. Every source required to obtain a construction permit shall make application [therefor] to the department [and shall submit therewith] **that includes** such plans and specifications as prescribed by rule. The director shall promptly investigate each application, and if he **or she** determines that the source meets and will meet the requirements of sections 643.010 to 643.190 and the rules promulgated pursuant thereto, he **or she** shall issue a construction permit with such conditions as he deems necessary to ensure that the source will meet the requirements of sections 643.010 to 643.190 and the rules. An application submitted for the construction or modification and operation of any regulated air contaminant source shall receive a unified construction and operating permit review process under section 643.078, unless the applicant requests in writing that the construction and operating permits be reviewed separately. If the director determines that the source does not meet or will not meet the requirements of sections 643.010 to 643.190 and the rules promulgated pursuant thereto, he **or she** shall deny the construction permit.

3. Before issuing a construction permit to build or modify an air contaminant source the director shall determine if the ambient air quality standards in the vicinity of the source are being exceeded and shall determine the impact on the ambient air quality standards from the source. The director, in order to effectuate the purposes of sections 643.010 to 643.190, may deny a construction permit if the source will

appreciably affect the air quality or the air quality standards are being substantially exceeded.

4. The director may require the applicant as a condition to the issuance of the construction permit to provide and maintain such facilities or to conduct such tests as are necessary to determine the nature, extent, quantity or degree of air contaminants discharged into the ambient air from the proposed source.

5. The director shall act within thirty days after a request for approval of an application for a construction permit. The director shall render a decision to approve or deny a construction permit within ninety days of receipt of a complete application for a class B source and within one hundred eighty-four days of receipt of a complete application for a class A source. The director shall promptly notify the applicant in writing of his action and if the construction permit is denied state the reasons [therefor] **for such denial.**

6. **As provided by sections 621.250 and 640.013,** any aggrieved person may appeal any permit decision made under this section, including failure to render a decision within the time period established in this section. A notice of appeal shall be filed with the **administrative hearing** commission within thirty days of the director's action or within thirty days from the date by which the decision should have been rendered if the director has failed to act. **Once the administrative hearing commission has reviewed the appeal, the administrative hearing commission shall issue a recommended decision to the commission on permit issuance, renewal, denial, suspension, or revocation, or any condition of the permit. The commission shall issue its own decision, based on the appeal, for permit issuance, renewal, denial, suspension, or revocation, or any condition of the permit. If the commission changes a finding of fact or conclusion of law made by the administrative hearing commission, or modifies or vacates the decision recommended by the administrative hearing commission, it shall issue its own decision, which shall include findings of fact and conclusions of law. The commission shall mail copies of its final decision to the parties to the appeal or their counsel of record. The commission's decision shall be subject to judicial review pursuant to chapter 536, except that the court of appeals district with territorial jurisdiction coextensive with the county where the air contaminant source is located or is to be located, shall have original jurisdiction. No judicial review shall be available until and unless all administrative remedies are exhausted.**

7. (1) There shall be a one hundred-dollar filing fee payable to the state of Missouri with each application before a construction permit shall be issued. No manufacturing or processing plant or operating location or other air contaminant source shall be required to pay more than one filing fee with a construction permit application. The provisions of this section shall not apply nor require the issuance of a permit wherein the proposed construction is that of a private residence.

(2) Upon completion of the department's evaluation of the application, but before receiving a construction permit, the applicant shall reimburse the department for all reasonable costs incurred by the department whether or not a construction permit is issued by the department or withdrawn by the applicant. If the department fails to approve or deny a construction permit within the time period specified in this section, the applicant shall not be required to reimburse the department for the review of the construction permit application. The commission shall, by rule, set the hourly charge, not to exceed the actual cost thereof and not to exceed fifty dollars per hour, for review of each construction permit application. The commission may exempt any person from payment of the hourly fees under this subdivision, or may reduce such fees, upon an appeal filed with the commission by such person stating that the fee will create an unreasonable economic hardship upon such person. The commission may conduct a closed meeting and

have closed records, as defined in section 610.010, for the purpose of gathering information from the person filing an appeal for the exemption. Information obtained in this meeting may be held confidential by the commission upon the request of the person filing the appeal for exemption. If the fees or any portion of the fees imposed by this section are not paid within ninety days from the date of billing there shall be imposed interest upon the unpaid amount at the rate of ten percent per annum from the date of billing until payment is actually made. A construction permit application for a portable facility may include any site at which the portable facility is expected to be used; however, a separate site permit application shall be required when the portable facility is used or expected to be used at any site which is not included in a previously approved construction permit application. Upon receipt of the application, the applicant shall be notified by the department of hourly fees and requirements put forth in this subdivision.

(3) Applicants who withdraw their application before the department completes its evaluation shall reimburse the department for costs incurred in the evaluation.

(4) All moneys received pursuant to this section and section 643.073 and any other moneys so designated shall be placed in the state treasury and credited to the natural resources protection fund air pollution permit fee subaccount, created in section 640.220, and shall be expended for the administration of this section and sections 643.073 and 643.078 and for no other purpose, and shall be used to supplement state general revenue and federal funds appropriated to the department. After appropriation, the moneys received pursuant to this section and in such fund subaccount shall be expended for the administration of this section and for no other purpose. Any unexpended balance in such fund subaccount at the end of any appropriation period shall not be transferred to the general revenue fund of the state treasury and shall be exempt from the provisions of section 33.080. Any interest received on such deposits shall be credited to the fund subaccount.

8. Any person who obtains a valid permit from a city or county pursuant to the authority granted in section 643.140 shall be deemed to have met the requirements of this section and shall not be liable to the department for construction permit fees imposed pursuant to subsection 7 of this section.

643.078. 1. It shall be unlawful for any person to operate any regulated air contaminant source after August 28, 1992, without an operating permit except as otherwise provided in sections 643.010 to 643.190.

2. At the option of the permit applicant, a single operating permit shall be issued for a facility having multiple air contaminant sources located on one or more contiguous tracts of land, excluding public roads, highways and railroads, under the control of or owned by the permit holder and operated as a single enterprise.

3. Any person who wishes to construct or modify and operate any regulated air contaminant source shall submit an application to the department for the unified review of a construction permit application under section 643.075 and an operating permit application under this section, unless the applicant requests in writing that the construction and operating permit applications be reviewed separately. The director shall complete any unified review within one hundred and eighty days of receipt of the request for a class B source. For a class A source, the unified review shall be completed within the time period established in section 502 of the federal Clean Air Act, as amended, 42 U.S.C. 7661.

4. As soon as the review process is completed for the construction and operating permits and, if the applicant complies with all applicable requirements of sections 643.010 to 643.190 and all rules adopted thereunder, the construction permit shall be issued to the applicant. The operating permit shall be retained by the department until validated.

5. Within one hundred and eighty days of commencing operations, the holder of a construction permit shall submit to the director such information as is necessary to demonstrate compliance with the provisions of sections 643.010 to 643.190 and the terms and conditions of the construction permit. The operating permit retained by the department shall be validated and forwarded to the applicant if the applicant is in compliance with the terms and conditions of the construction permit and the terms and conditions of the operating permit. The holder of a construction permit may request a waiver of the one hundred and eighty day time period and the director may grant such request by mutual agreement.

6. If the director determines that an air contaminant source does not meet the terms and conditions of the construction permit and that the operation of the source will result in emissions which exceed the limits established in the construction permit, he shall not validate the operating permit. If the source corrects the deficiency, the director shall then validate the operating permit. If the source is unable to correct the deficiency, then the director and the applicant may, by mutual agreement, add such terms and conditions to the operating permit which are deemed appropriate, so long as the emissions from the air contaminant source do not exceed the limits established in the construction permit, and the director shall validate the operating permit. The director may add terms and conditions to the operating permit which allow the source to exceed the emission limits established in the construction permit. In such a case, the director shall notify the affected public and the commission shall, upon request by any affected person, hold a public hearing upon the revised operating permit application.

7. Except as provided in subsection 8 of this section, an operating permit shall be valid for five years from the date of issuance or validation, whichever is later, unless otherwise revoked or terminated pursuant to sections 643.010 to 643.190.

8. An applicant for a construction permit for an air contaminant source with valid operating permit may request that the air contaminant source be issued a new five-year operating permit. The operating permit would be issued in the manner and under the conditions provided in sections 643.010 to 643.190 and would supersede any existing operating permit for the source.

9. The director shall take action within thirty days after a request for validation of the operating permit and shall render a decision within one hundred twenty days of receipt of a request for issuance of an operating permit for a class B source. The director shall render a decision within the time period established in section 502 of the federal Clean Air Act, as amended, 42 U.S.C. 7661, for a class A source. Any affected person may appeal any permit decision, including failure to render a decision within the time period established in this section, to the **administrative hearing commission as provided by subsection 16 of this section, section 621.250, and section 640.013.**

10. The director may suspend, revoke or modify an operating permit for cause.

11. The director shall not approve an operating permit if he receives an objection to approval of the permit from the United States Environmental Protection Agency within the time period specified under Title V of the Clean Air Act, as amended, 42 U.S.C. 7661, et seq.

12. The director shall enforce all applicable federal rules, standards and requirements issued under the federal Clean Air Act, as amended, 42 U.S.C. 7661, et seq., and shall incorporate such applicable standards and any limitations established pursuant to Title III into operating permits as required under Title V of the federal Clean Air Act, as amended, 42 U.S.C. 7661, et seq.

13. Applicable standards promulgated by the commission by rule shall be incorporated by the director

into the operating permit of any air contaminant source which has, on the effective date of the rule, at least three years remaining before renewal of its operating permit. If less than three years remain before renewal of the source's operating permit, such applicable standards shall be incorporated into the permit unless the permit contains a shield from such new requirements consistent with Title V of the federal Clean Air Act, as amended, 42 U.S.C. 7661, et seq.

14. The holder of a valid operating permit shall have operational flexibility to make changes to any air contaminant source, if the changes will not result in air contaminant emissions in excess of those established in the operating permit or result in the emissions of any air contaminant not previously emitted without obtaining a modification of the operating permit provided such changes are consistent with Section 502(b)(10) of the federal Clean Air Act, as amended, 42 U.S.C. 7661.

15. An air contaminant source with a valid operating permit which submits a complete application for a permit renewal at least six months prior to the expiration of the permit shall be deemed to have a valid operating permit until the director acts upon its permit application. The director shall promptly notify the applicant in writing of his action on the application and if the operating permit is not issued state the reasons therefor.

16. The applicant may appeal to the **administrative hearing** commission if [an] **a construction, modification, or** operating permit is [not] issued, **renewed, denied, suspended, modified, or revoked by the department,** or may appeal any condition[, suspension, modification or revocation] of any permit by filing [notice of appeal] **a petition** with the **administrative hearing** commission within thirty days of the notice of the director's response to the request for issuance of the **construction, modification, or** operating permit **as provided by sections 621.250 and 640.013. Once the administrative hearing commission has reviewed the appeal, the administrative hearing commission shall issue a recommended decision to the commission on the issuance, renewal, denial, suspension, modification, revocation, or any condition of the permit. The commission shall issue its own decision, based on the appeal, for the issuance, renewal, denial, suspension, modification, revocation, or any condition of the permit. If the commission changes a finding of fact or conclusion of law made by the administrative hearing commission, or modifies or vacates the decision recommended by the administrative hearing commission, it shall issue its own decision, which shall include findings of fact and conclusions of law. The commission shall mail copies of its final decision to the parties to the appeal or their counsel of record. The commission's decision shall be subject to judicial review pursuant to chapter 536, except that the court of appeals district with territorial jurisdiction coextensive with the county where the air contaminant source is located or is to be located shall have original jurisdiction. No judicial review shall be available until and unless all administrative remedies are exhausted.**

17. Any person who obtains a valid operating permit from a city or county pursuant to the authority granted in section 643.140 shall be deemed to have met the requirements of this section.”; and

Further amend said bill, page 31, section 644.016, line 8 of said page, by inserting immediately after said line the following:

“644.051. 1. It is unlawful for any person:

(1) To cause pollution of any waters of the state or to place or cause or permit to be placed any water contaminant in a location where it is reasonably certain to cause pollution of any waters of the state;

(2) To discharge any water contaminants into any waters of the state which reduce the quality of such

waters below the water quality standards established by the commission;

(3) To violate any pretreatment and toxic material control regulations, or to discharge any water contaminants into any waters of the state which exceed effluent regulations or permit provisions as established by the commission or required by any federal water pollution control act;

(4) To discharge any radiological, chemical, or biological warfare agent or high-level radioactive waste into the waters of the state.

2. It shall be unlawful for any person to operate, use or maintain any water contaminant or point source in this state that is subject to standards, rules or regulations promulgated pursuant to the provisions of sections 644.006 to 644.141 unless such person holds an operating permit from the commission, subject to such exceptions as the commission may prescribe by rule or regulation. However, no operating permit shall be required of any person for any emission into publicly owned treatment facilities or into publicly owned sewer systems tributary to publicly owned treatment works.

3. It shall be unlawful for any person to construct, build, replace or make major modification to any point source or collection system that is principally designed to convey or discharge human sewage to waters of the state, unless such person obtains a construction permit from the commission, except as provided in this section. The following activities shall be excluded from construction permit requirements:

(1) Facilities greater than one million gallons per day that are authorized through a local supervised program, and are not receiving any department financial assistance;

(2) All sewer extensions or collection projects that are one thousand feet in length or less with fewer than two lift stations;

(3) All sewer collection projects that are authorized through a local supervised program; and

(4) Any other exclusions the commission may promulgate by rule.

A construction permit may be required by the department in the following circumstances:

(a) Substantial deviation from the commission's design standards;

(b) To address noncompliance;

(c) When an unauthorized discharge has occurred or has the potential to occur; or

(d) To correct a violation of water quality standards.

In addition, any point source that proposes to construct an earthen storage structure to hold, convey, contain, store or treat domestic, agricultural, or industrial process wastewater also shall be subject to the construction permit provisions of this subsection. All other construction-related activities at point sources shall be exempt from the construction permit requirements. All activities that are exempted from the construction permit requirement are subject to the following conditions:

a. Any point source system designed to hold, convey, contain, store or treat domestic, agricultural or industrial process wastewater shall be designed by a professional engineer registered in Missouri in accordance with the commission's design rules;

b. Such point source system shall be constructed in accordance with the registered professional engineer's design and plans; and

c. Such point source system may receive a post-construction site inspection by the department prior to

receiving operating permit approval. A site inspection may be performed by the department, upon receipt of a complete operating permit application or submission of an engineer's statement of work complete.

A governmental unit may apply to the department for authorization to operate a local supervised program, and the department may authorize such a program. A local supervised program would recognize the governmental unit's engineering capacity and ability to conduct engineering work, supervise construction and maintain compliance with relevant operating permit requirements.

4. Before issuing any permit required by this section, the director shall issue such notices, conduct such hearings, and consider such factors, comments and recommendations as required by sections 644.006 to 644.141 or any federal water pollution control act. The director shall determine if any state or any provisions of any federal water pollution control act the state is required to enforce, any state or federal effluent limitations or regulations, water quality-related effluent limitations, national standards of performance, toxic and pretreatment standards, or water quality standards which apply to the source, or any such standards in the vicinity of the source, are being exceeded, and shall determine the impact on such water quality standards from the source. The director, in order to effectuate the purposes of sections 644.006 to 644.141, shall deny a permit if the source will violate any such acts, regulations, limitations or standards or will appreciably affect the water quality standards or the water quality standards are being substantially exceeded, unless the permit is issued with such conditions as to make the source comply with such requirements within an acceptable time schedule.

5. The director shall grant or deny the permit within sixty days after all requirements of the Federal Water Pollution Control Act concerning issuance of permits have been satisfied unless the application does not require any permit pursuant to any federal water pollution control act. The director or the commission may require the applicant to provide and maintain such facilities or to conduct such tests and monitor effluents as necessary to determine the nature, extent, quantity or degree of water contaminant discharged or released from the source, establish and maintain records and make reports regarding such determination.

6. The director shall promptly notify the applicant in writing of his or her action and if the permit is denied state the reasons [therefor] **for such denial. As provided by sections 621.250 and 640.013**, the applicant may appeal to the **administrative hearing** commission from the denial of a permit or from any condition in any permit by filing [notice of appeal] **a petition** with the **administrative hearing** commission within thirty days of the notice of denial or issuance of the permit. After a final action is taken on a new or reissued general permit, a potential applicant for the general permit who can demonstrate that he or she is or may be adversely affected by any permit term or condition may appeal the terms and conditions of the general permit within thirty days of the department's issuance of the general permit. In no event shall a permit constitute permission to violate the law or any standard, rule or regulation promulgated pursuant thereto. **Once the administrative hearing commission has reviewed the appeal, the administrative hearing commission shall issue a recommended decision to the commission on permit issuance, denial, or any condition of the permit. The commission shall issue its own decision, based on the appeal, for permit issuance, denial, or any condition of the permit. If the commission changes a finding of fact or conclusion of law made by the administrative hearing commission, or modifies or vacates the decision recommended by the administrative hearing commission, it shall issue its own decision, which shall include findings of fact and conclusions of law. The commission shall mail copies of its final decision to the parties to the appeal or their counsel of record. The commission's decision shall be subject to judicial review pursuant to chapter 536, except that the court of appeals district with territorial jurisdiction coextensive with the county where the point source is to be located, shall have**

original jurisdiction. No judicial review shall be available until and unless all administrative remedies are exhausted.

7. In any hearing held pursuant to this section that involves a permit, license, or registration, the burden of proof is on the party specified in section 640.012. Any decision of the commission made pursuant to a hearing held pursuant to this section is subject to judicial review as provided in section 644.071.

8. In any event, no permit issued pursuant to this section shall be issued if properly objected to by the federal government or any agency authorized to object pursuant to any federal water pollution control act unless the application does not require any permit pursuant to any federal water pollution control act.

9. Permits may be modified, reissued, or terminated at the request of the permittee. All requests shall be in writing and shall contain facts or reasons supporting the request.

10. No manufacturing or processing plant or operating location shall be required to pay more than one operating fee. Operating permits shall be issued for a period not to exceed five years after date of issuance, except that general permits shall be issued for a five-year period, and also except that neither a construction nor an annual permit shall be required for a single residence's waste treatment facilities. Applications for renewal of a site-specific operating permit shall be filed at least one hundred eighty days prior to the expiration of the existing permit. Applications seeking to renew coverage under a general permit shall be submitted at least thirty days prior to the expiration of the general permit, unless the permittee has been notified by the director that an earlier application must be made. General permits may be applied for and issued electronically once made available by the director.

11. Every permit issued to municipal or any publicly owned treatment works or facility shall require the permittee to provide the clean water commission with adequate notice of any substantial new introductions of water contaminants or pollutants into such works or facility from any source for which such notice is required by sections 644.006 to 644.141 or any federal water pollution control act. Such permit shall also require the permittee to notify the clean water commission of any substantial change in volume or character of water contaminants or pollutants being introduced into its treatment works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility and the anticipated impact of such introduction on the quality or quantity of effluent to be released from such works or facility into waters of the state.

12. The director or the commission may require the filing or posting of a bond as a condition for the issuance of permits for construction of temporary or future water treatment facilities or facilities that utilize innovative technology for wastewater treatment in an amount determined by the commission to be sufficient to ensure compliance with all provisions of sections 644.006 to 644.141, and any rules or regulations of the commission and any condition as to such construction in the permit. For the purposes of this section, "innovative technology for wastewater treatment" shall mean a completely new and generally unproven technology in the type or method of its application that bench testing or theory suggest has environmental, efficiency, and cost benefits beyond the standard technologies. No bond shall be required for designs approved by any federal agency or environmental regulatory agency of another state. The bond shall be signed by the applicant as principal, and by a corporate surety licensed to do business in the state of Missouri and approved by the commission. The bond shall remain in effect until the terms and conditions

of the permit are met and the provisions of sections 644.006 to 644.141 and rules and regulations promulgated pursuant thereto are complied with.

13. (1) The department shall issue or deny applications for construction and site-specific operating permits received after January 1, 2001, within one hundred eighty days of the department's receipt of an application. For general construction and operating permit applications received after January 1, 2001, that do not require a public participation process, the department shall issue or deny the permits within sixty days of the department's receipt of an application. For an application seeking coverage under a renewed general permit that does not require an individual public participation process, the director shall issue or deny the permit within sixty days of the director's receipt of the application, or upon issuance of the general permit, whichever is later. In regard to an application seeking coverage under an initial general permit that does not require an individual public participation process, the director shall issue or deny the permit within sixty days of the department's receipt of the application. For an application seeking coverage under a renewed general permit that requires an individual public participation process, the director shall issue or deny the permit within ninety days of the director's receipt of the application, or upon issuance of the general permit, whichever is later. In regard to an application for an initial general permit that requires an individual public participation process, the director shall issue or deny the permit within ninety days of the director's receipt of the application.

(2) If the department fails to issue or deny with good cause a construction or operating permit application within the time frames established in subdivision (1) of this subsection, the department shall refund the full amount of the initial application fee within forty-five days of failure to meet the established time frame. If the department fails to refund the application fee within forty-five days, the refund amount shall accrue interest at a rate established pursuant to section 32.065.

(3) Permit fee disputes may be appealed to the commission within thirty days of the date established in subdivision (2) of this subsection. If the applicant prevails in a permit fee dispute appealed to the commission, the commission may order the director to refund the applicant's permit fee plus interest and reasonable attorney's fees as provided in sections 536.085 and 536.087. A refund of the initial application or annual fee does not waive the applicant's responsibility to pay any annual fees due each year following issuance of a permit.

(4) No later than December 31, 2001, the commission shall promulgate regulations defining shorter review time periods than the time frames established in subdivision (1) of this subsection, when appropriate, for different classes of construction and operating permits. In no case shall commission regulations adopt permit review times that exceed the time frames established in subdivision (1) of this subsection. The department's failure to comply with the commission's permit review time periods shall result in a refund of said permit fees as set forth in subdivision (2) of this subsection. On a semiannual basis, the department shall submit to the commission a report which describes the different classes of permits and reports on the number of days it took the department to issue each permit from the date of receipt of the application and show averages for each different class of permits.

(5) During the department's technical review of the application, the department may request the applicant submit supplemental or additional information necessary for adequate permit review. The department's technical review letter shall contain a sufficient description of the type of additional information needed to comply with the application requirements.

(6) Nothing in this subsection shall be interpreted to mean that inaction on a permit application shall

be grounds to violate any provisions of sections 644.006 to 644.141 or any rules promulgated pursuant to sections 644.006 to 644.141.

14. The department shall respond to all requests for individual certification under Section 401 of the Federal Clean Water Act within the lesser of sixty days or the allowed response period established pursuant to applicable federal regulations without request for an extension period unless such extension is determined by the commission to be necessary to evaluate significant impacts on water quality standards and the commission establishes a timetable for completion of such evaluation in a period of no more than one hundred eighty days.

15. All permit fees generated pursuant to this chapter shall not be used for the development or expansion of total maximum daily loads studies on either the Missouri or Mississippi rivers.

16. The department shall implement permit shield provisions equivalent to the permit shield provisions implemented by the U.S. Environmental Protection Agency pursuant to the Clean Water Act, Section 402(k), 33 U.S.C. Section 1342(k), and its implementing regulations, for permits issued pursuant to chapter 644.

17. Prior to the development of a new general permit or reissuance of a general permit for aquaculture, land disturbance requiring a storm water permit, or reissuance of a general permit under which fifty or more permits were issued under a general permit during the immediately preceding five-year period for a designated category of water contaminant sources, the director shall implement a public participation process complying with the following minimum requirements:

(1) For a new general permit or reissuance of a general permit, a general permit template shall be developed for which comments shall be sought from permittees and other interested persons prior to issuance of the general permit;

(2) The director shall publish notice of his intent to issue a new general permit or reissue a general permit by posting notice on the department's website at least one hundred eighty days before the proposed effective date of the general permit;

(3) The director shall hold a public informational meeting to provide information on anticipated permit conditions and requirements and to receive informal comments from permittees and other interested persons. The director shall include notice of the public informational meeting with the notice of intent to issue a new general permit or reissue a general permit under subdivision (2) of this subsection. The notice of the public informational meeting, including the date, time and location, shall be posted on the department's website at least thirty days in advance of the public meeting. If the meeting is being held for reissuance of a general permit, notice shall also be made by electronic mail to all permittees holding the current general permit which is expiring. Notice to current permittees shall be made at least twenty days prior to the public meeting;

(4) The director shall hold a thirty-day public comment period to receive comments on the general permit template with the thirty-day comment period expiring at least sixty days prior to the effective date of the general permit. Scanned copies of the comments received during the public comment period shall be posted on the department's website within five business days after close of the public comment period;

(5) A revised draft of a general permit template and the director's response to comments submitted during the public comment period shall be posted on the department's website at least forty-five days prior to issuance of the general permit. At least forty-five days prior to issuance of the general permit the

department shall notify all persons who submitted comments to the department that these documents have been posted to the department's website;

(6) Upon issuance of a new or renewed general permit, the general permit shall be posted to the department's website.

18. Notices required to be made by the department pursuant to subsection 17 of this section may be made by electronic mail. The department shall not be required to make notice to any permittee or other person who has not provided a current electronic mail address to the department. In the event the department chooses to make material modifications to the general permit before its expiration, the department shall follow the public participation process described in subsection 17 of this section.

19. The provisions of subsection 17 of this section shall become effective beginning January 1, 2013.

644.056. 1. The director shall cause investigations to be made upon the request of the commission or upon receipt of information concerning alleged violations of sections 644.006 to 644.141 or any standard, limitation, order, rule or regulation promulgated pursuant thereto, or any term or condition of any permit and may cause to be made any other investigations he or she deems advisable. Violations shall include obtaining a permit by misrepresentation or failure to fully disclose all relevant facts.

2. If, in the opinion of the director, the investigation discloses that a violation does exist, the director may, by conference, conciliation or persuasion, endeavor to eliminate the violation.

3. In case of the failure by conference, conciliation or persuasion to correct or remedy any claimed violation, or as required to immediately and effectively halt or eliminate any imminent or substantial endangerments to the health or welfare of persons resulting from the discharge of pollutants, the director [shall] **may** order abatement [or file an abatement complaint with the commission if no permit has been issued, or in addition may file a complaint to revoke a permit if such permit has been issued] **or request legal action by the attorney general.** When the director files a complaint, the commission shall order a hearing. The director shall cause to have issued and served upon the person complained against a written notice of the order or complaint, together with a copy of the order or complaint, which shall specify the provision of sections 644.006 to 644.141 or the standard, rule, limitation, or regulation adopted pursuant thereto, or the condition of the permit of which the person is alleged to be in violation, and a statement of the manner in which and the extent to which the person is alleged to violate sections 644.006 to 644.141 or the standard, rule, limitation, or regulation, or condition of the permit. In any case involving a complaint, the commission shall require the person complained against to answer the charges of the formal complaint at a hearing before the commission at a time not less than thirty days after the date of notice. Service may be made upon any person within or without the state by registered mail, return receipt requested. Any person against whom the director issues an order may appeal the order to the commission within thirty days and the appeal shall stay the enforcement of the order until final determination by the commission. The commission shall set appeals for a hearing at a time not less than thirty days after the date of the request. The commission may sustain, reverse, or modify the director's order or may make such other orders as the commission deems appropriate under the circumstances. If any order issued by the director is not appealed within the time provided in this section, the order becomes final and may be enforced as provided in section 644.076. **When the commission schedules a matter for hearing, the petitioner on appeal or the respondent to a formal complaint may appear at the hearing in person or by counsel, and may make oral argument, offer testimony and evidence, and cross-examine witnesses. After due consideration of the record, or upon default in appearance of the respondent on the return day specified in the**

notice given as provided in this subsection, the commission shall issue and enter such final order, or make such final determination as it deems appropriate under the circumstances, and it shall immediately notify the petitioner or respondent thereof in writing by certified or registered mail.

4. Permits may be **revoked**, terminated, or modified if obtained in violation of sections 644.006 to 644.141 or by misrepresentation or failing to fully disclose all relevant facts, or when required to prevent violations of any provision of sections 644.006 to 644.141, or to protect the waters of this state, when such action is required by a change in conditions or the existence of a condition which requires either a temporary or permanent reduction or elimination of the authorized discharge, subject to the right of appeal contained in [this section] **sections 621.250 and 640.013.**

5. [When the commission schedules a matter for hearing, the petitioner on appeal or the respondent to a formal complaint may appear at the hearing in person or by counsel, and may make oral argument, offer testimony and evidence, and cross-examine witnesses.

6. After due consideration of the record, or upon default in appearance of the respondent on the return day specified in the notice given as provided in subsection 3, the commission shall issue and enter such final order, or make such final determination as it deems appropriate under the circumstances, and it shall immediately notify the petitioner or respondent thereof in writing by certified or registered mail.] **Whenever a permit under this chapter is revoked, terminated, or modified by the department of natural resources, the applicant, by petition filed with the administrative hearing commission within thirty days of the decision, may appeal such decision as provided by sections 621.250 and 640.013. Once the administrative hearing commission has reviewed the appeal, the administrative hearing commission shall issue a recommended decision to the commission on permit revocation, termination, or modification. The commission shall issue its own decision, based on the appeal, for permit revocation, termination, or modification. If the commission changes a finding of fact or conclusion of law made by the administrative hearing commission, or modifies or vacates the decision recommended by the administrative hearing commission, it shall issue its own decision, which shall include findings of fact and conclusions of law. The commission shall mail copies of its final decision to the parties to the appeal or their counsel of record. The commission's decision shall be subject to judicial review pursuant to chapter 536, except that the court of appeals district with territorial jurisdiction coextensive with the county where the point source is located or is to be located shall have original jurisdiction. No judicial review shall be available until and unless all administrative remedies are exhausted.**"; and

Further amend the title and enacting clause accordingly.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe moved that **SS** for **SB 476**, as amended, be adopted, which motion prevailed.

On motion of Senator Kehoe, **SS** for **SB 476**, as amended, was declared perfected and ordered printed.

REFERRALS

President Pro Tem Dempsey referred **SS No. 2** for **SB 386** and **SB 401** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **HCR 38** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HCR 49**.

HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 49

WHEREAS, humans need a varied diet containing protein in order to be healthy; and

WHEREAS, eggs are an efficient, nutritious, and affordable form of animal protein on which millions of Americans rely; and

WHEREAS, Article I, Section 8, Clause 3 of the United States Constitution, also known as the Commerce Clause, was designed to ensure free trade between the states by preventing any state from imposing a tariff or other restriction on goods from another state; and

WHEREAS, California is one of the nation's largest producers and consumers of eggs for human consumption; and

WHEREAS, conventional chicken enclosures, also known as battery cages, have been proven to better protect egg-laying hens from bone breaks, cannibalism, disease, smothering, and predation than free range operations or operations using so-called "enriched cages"; and

WHEREAS, forcing egg producers to switch to "enriched cages" or nonconfinement operations drove up the cost of eggs in the European Union while also leading to food shortages and the closure of countless farms; and

WHEREAS, forcing egg farmers in America to abandon battery cages in favor of "enriched cages" or nonconfinement operations will lead to the same impacts on the U.S. economy and food supply; and

WHEREAS, the Humane Society of the United States, also known as HSUS, is America's largest animal rights group and has aggressively pursued an agenda intended to decrease and eventually eliminate the public's consumption of animal protein; and

WHEREAS, California voters adopted Proposition 2 to their state constitution in 2008, requiring the state's egg producers to switch to "enriched cages" or nonconfinement operations in a campaign led and funded by the Humane Society of the United States; and

WHEREAS, in 2010, at the behest of HSUS, the California legislature passed AB 1437, which was signed into law by Governor Arnold Schwarzenegger, prohibiting the sale of eggs from other states that do not meet the requirements of Proposition 2 of 2008; and

WHEREAS, together, California's Proposition 2 and AB 1437 violate the Commerce Clause of the U.S. Constitution by preventing free trade among the states; and

WHEREAS, together, California's Proposition 2 and AB 1437 have artificially increased egg prices and restricted the availability of affordable eggs and vital animal protein to Californians, especially low-income citizens:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby condemn California's anti-trade actions and call on the California legislature to repeal AB 1437 and urge the voters of California to reconsider and repeal Proposition 2.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 39**.

HOUSE CONCURRENT RESOLUTION NO. 39

WHEREAS, the 2015 Dietary Guidelines Advisory Committee (DGAC) submitted its advisory report to the Secretaries of the U.S. Department of Health and Human Services and the U.S. Department of Agriculture in February, 2015; and

WHEREAS, the purpose of the advisory report is to inform the federal government of current scientific evidence on topics related to diet, nutrition, and health; and

WHEREAS, the U.S. Department of Health and Human Services and the U.S. Department of Agriculture use the advisory report to develop national nutrition policies; and

WHEREAS, the advisory report stated that the U.S. population should be encouraged and guided to follow dietary patterns that are lower

in meats; and

WHEREAS, the advisory report stated that diets lower in animal-based foods are more health promoting; and

WHEREAS, the advisory report recommends a reduction in consumption of red meat, but then finds that red meat is an excellent source of iron, of which Americans should be encouraged to consume more in their diets; and

WHEREAS, the advisory report states that meat foods provide heme iron, which is especially important for young children and women who are pregnant, and which is more bioavailable than non-heme, plant-derived iron; and

WHEREAS, the advisory report concurred with the Nutrition Evidence Library (NEL) Dietary Patterns Systematic Review Project that dietary patterns that are lower in meats are associated with favorable outcomes related to healthy body weight and risk of obesity; and

WHEREAS, the DGAC stated that a “dietary pattern higher in plant-based foods, such as vegetables, fruits, whole grains, legumes, nuts and seeds, and lower in animal-based foods is more health promoting and is associated with lesser environmental impact than is the current average U.S. Diet”; and

WHEREAS, the DGAC’s suggestion that reducing animal-based foods in the American diet will improve health and have a positive environmental impact is not supported by scientific evidence; and

WHEREAS, the advisory report included red meat in its definition of “lean meat”, which is defined as any meat with less than 10% fat by weight including 95% lean ground beef; broiled beef steak; baked pork chops; roasted chicken breasts or legs; and smoked or cured ham; and

WHEREAS, the DGAC removes lean meats from the common characteristics of healthy dietary patterns, which is inconsistent with more than three decades of scientific evidence on the benefits of lean meat in healthy diets and is also in direct conflict with all previous editions of the Dietary Guidelines for Americans; and

WHEREAS, inconsistencies in its own recommendations and the astonishing lack of discernment in reviewing scientific evidence call into question the entirety of the DGAC’s recommendations and should not be used to form our nation’s nutritional policies:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the Dietary Guidelines Advisory Committee to reevaluate its recommendations, especially regarding the consumption of meat as a component of a healthy diet; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the U.S. Department of Health and Human Services, the U.S. Department of Agriculture, and the 2015 Dietary Guidelines Advisory Committee.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Romine.

SENATE BILLS FOR PERFECTION

Senator Brown moved that **SB 317** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Brown, **SB 317** was declared perfected and ordered printed.

Senator Pearce moved that **SB 369** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Pearce offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 369, Page 1, Section 1, Line 4, by striking the word “Rehabilitation” and inserting in lieu thereof the following: “**Habilitation**”.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Pearce, **SB 369**, as amended, was declared perfected and ordered printed.

Senator Walsh moved that **SB 435**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Walsh moved that **SCS** for **SB 435**, be adopted, which motion prevailed.

On motion of Senator Walsh, **SCS** for **SB 435** was declared perfected and ordered printed.

Senator Hegeman moved that **SB 321**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Hegeman moved that **SCS** for **SB 321** be adopted.

Senator Riddle offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 321, Page 3, Section 455.010, Line 63, by striking “and repeatedly”; and further amend line 64, by inserting immediately after “person” the following: “, or a person who resides together in the same household with the person seeking the order of protection”; and further amend line 67, by inserting at the end of said line the word “and”; and further amend line 68, by striking “repeated” and inserting in lieu thereof the following: “two or more”; and further amend lines 71-73, by striking the following: “; and

(c) “Repeated” means two or more incidents evidencing a continuity of purpose”.

Senator Riddle moved that the above amendment be adopted, which motion prevailed.

Senator Hegeman moved that **SCS** for **SB 321**, as amended, be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS** for **SB 321**, as amended, was declared perfected and ordered printed.

Senator Sater moved that **SB 354**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 354**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 354

An Act to repeal section 191.331, RSMo, and to enact in lieu thereof one new section relating to amino acid-based elemental formulas.

Was taken up.

Senator Sater moved that **SCS** for **SB 354** be adopted.

Senator Sater offered **SS** for **SCS** for **SB 354**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 354

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to amino acid-based elemental formulas.

Senator Sater moved that **SS** for **SCS** for **SB 354** be adopted, which motion prevailed.

On motion of Senator Sater, **SS** for **SCS** for **SB 354** was declared perfected and ordered printed.

Senator Riddle moved that **SB 500** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Riddle, **SB 500** was declared perfected and ordered printed.

Senator Wallingford moved that **SB 474** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Wallingford, **SB 474** was declared perfected and ordered printed.

Senator Wasson moved that **SB 561** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Wasson, **SB 561** was declared perfected ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 104**, entitled:

An Act to repeal sections 115.342, 115.348, 115.350, 116.190, 162.481, and 162.491, RSMo, and section 162.025 as enacted by house bill no. 63, ninety-eighth general assembly, first regular session, and to enact in lieu thereof six new sections relating to elections, with an emergency clause.

With House Amendment Nos. 1, 2 and 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 104, Page 5, Section 162.491, Line 17, by inserting immediately after all of said section the following:

“178.820. 1. In the organization election, six trustees shall be elected at large throughout the entire proposed district. The two candidates receiving the greatest number of votes shall be elected for terms of six years each, the two receiving the next greatest number of votes for terms of four years each, the two receiving the next greatest number of votes for terms of two years each, and such terms shall be effective until the first Tuesday in April coinciding with or next following such period of years, or until the successors to such trustees have been duly elected and qualified. Thereafter, the trustees shall be elected for terms of six years each.

2. Following the initial election, the board of trustees may, at any duly called meeting, adopt a resolution calling for the formation of a redistricting committee to consider the formation of subdistricts within the community college district from which trustees are thereafter to be elected. Upon adoption of any such resolution, the secretary of the board of trustees shall forward a certified copy thereof to the coordinating board for higher education with the request that a redistricting committee be appointed in order to divide the community college districts into at least two and not more than six subdistricts for the purpose of electing trustees. The redistricting committee shall consist of three residents within the affected district, appointed by the board of trustees of the affected district, plus three additional persons residents within the affected district, appointed by the coordinating board for higher education. Thereafter, the redistricting

committee shall meet, organize itself with a chairman and secretary, and proceed with the adoption of a redistricting plan specifying at least two but not more than six subdistricts which are to the extent possible so apportioned on the basis of population that the population of any such subdistrict divided by the number of trustees to be selected therefrom substantially equals the population of any other subdistrict divided by the number of trustees to be selected therefrom. The redistricting plan referred to herein, in lieu of requiring all trustees to be elected from subdistricts, may provide for the election of one or more trustees at large and the remainder from subdistricts, or for the election of all the trustees at large with the requirement that each must reside in a certain subdistrict, so long as in any plan adopted, subdistricts are apportioned as provided above. Notwithstanding the above, the board of trustees of any community college district which contains more than four hundred fifty thousand residents shall, at the first duly called meeting following August 13, 1972, and thereafter within ninety days following the publication of the decennial census figures, adopt a resolution calling for the formation of a redistricting committee; and the redistricting committee shall adopt a redistricting plan specifying the establishment of not less than four nor more than six subdistricts compact and contiguous in territory and apportioned as provided above.

3. In any district which shall contain a city not within a county, if four subdistricts are established, then at least one subdistrict shall be within said city, and if five or six subdistricts are established, then at least two subdistricts shall be within said city.

4. Any person running for election as a trustee of a subdistrict shall be domiciled and a resident therein. Any plan proposed to be adopted must receive approval of a majority of the whole redistricting committee. Upon adoption the redistricting committee shall forward a copy of the plan certified by the secretary to the coordinating board for higher education for its approval or disapproval. The coordinating board for higher education shall approve any redistricting plan in which the population of any subdistrict divided by the number of trustees to be selected therefrom substantially equals the population of any other subdistrict divided by the number of trustees to be elected therefrom. Upon approval, the redistricting plan shall become effective and all trustees elected thereafter shall be required to be elected from subdistricts in which they are resident. If the plan is not approved, then it shall be returned to the redistricting committee for revision and resubmission. Until approval of a plan by the coordinating board for higher education, trustees of a district shall continue to run at large. Upon approval of any plan, the board of trustees shall determine by resolution the assignment of trustees to subdistricts. Any such assignment shall not affect the term of office of any such trustee. Once a district has been divided into subdistricts in accordance with the provisions hereof, it shall remain so divided until one year following the publication of the decennial census figures, by which date a new plan shall have been adopted or the trustees shall again be required to run in the district at large; provided, however, that if during the period between publications of decennial census figures the area of a district is increased or decreased, a new plan shall be adopted within one year thereafter or the trustees shall be required to run in the district at large. No member of the redistricting committee shall serve on the board of trustees for a period of six years following his service on the redistricting committee.

5. Candidates for the office of trustee shall be citizens of the United States, at least twenty-one years of age, who have been voters of the district for at least one whole year preceding the election, and if trustees are elected other than at large they shall be voters of the subdistricts for at least one whole year next preceding the election. All candidates for the first board of a district shall file their declaration of candidacy with the coordinating board for higher education.

6. Notwithstanding the provisions of this section or any other law to the contrary, the board of

trustees of the community college district in any district that contains a city not within a county shall be composed of seven members, six of whom shall each be elected to a six-year term, and one at-large member who shall be appointed to a six-year term, beginning with the board election occurring immediately after August 28, 2015. The first appointment shall be made by the mayor of a city not within a county and the second appointment shall be made by the county executive of a county with a charter form of government and with more than nine hundred fifty thousand inhabitants. All subsequent appointments shall be made on an alternating basis between such mayor and such county executive.

(1) The appointed member shall be a citizen of the United States, at least twenty-one years of age, and a registered voter of the district for at least one year preceding the appointment.

(2) No member, elected or appointed, shall be an employee or former employee of such community college district.

(3) Whenever a vacancy occurs in the appointed member's seat due to death, resignation, removal from the district, or by operation of law or otherwise, the appointing executive shall, in a like manner, appoint a competent person to fill such vacancy and shall communicate his or her action to the board secretary of the district. Such appointed member shall hold office for the remainder of the unexpired term.

(4) If a board member is found by unanimous vote of the other board members to have moved his or her residence to a district other than the district from which such board member was appointed or elected, or to have violated a duly promulgated bylaw of the district, then the office of such board member shall be vacant.

(5) The board shall have the power to make such bylaws or ordinances, rules, and regulations as they may judge most expedient for the accomplishment of the trust reposed in them, for the government of their officers and employees, to secure their accountability, and to delegate their authority as they may deem necessary to such officers and employees or to committees appointed by the board.

(6) Except as specifically provided in this section, the appointment or election and term of office for members of the board, and all other duties and responsibilities of the board, shall comply with the provisions of state law regarding trustees of community college districts.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 104, Page 1, In the title, Line 3, by deleting, “section 162.025” and inserting in lieu thereof the following: “sections 162.025 and 162.491”; and

Further amend said page, Section A, Line 2, by deleting, “section 162.025” and inserting in lieu thereof the following: “sections 162.025 and 162.491”; and

Further amend said bill, Page 5, Section 162.491, Lines 14-15, by deleting all of said lines and inserting in lieu thereof the following:

“4. In any urban school district located in a county of the first classification with more than eighty-

three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat, a candidate for director”; and

Further amend said bill, Page 7, Section 162.025, Line 3, by inserting after all of said line the following:

“[162.491. 1. Directors for urban school districts, other than those districts containing the greater part of a city of over one hundred thirty thousand inhabitants, may be nominated by petition to be filed with the secretary of the board and signed by a number of voters in the district equal to ten percent of the total number of votes cast for the director receiving the highest number of votes cast at the next preceding biennial election, **except as provided in subsection 4 of this section.**

2. This section shall not be construed as providing the sole method of nominating candidates for the office of school director in urban districts which do not contain the greater part of a city of over three hundred thousand inhabitants.

3. A director for any urban school district containing a city of greater than one hundred thirty thousand inhabitants and less than three hundred thousand inhabitants may be nominated as an independent candidate by filing with the secretary of the board a petition signed by five hundred registered voters of such school district.

4. In any urban school district located in a home rule city with more than seventy-one thousand but fewer than seventy-nine thousand inhabitants, a candidate for director shall file a declaration of candidacy with the secretary of the board and shall not be required to submit a petition.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 104, Page 1, Section 115.306, Line 4, by inserting after the word, “**state**” the words, “**or an offense committed in another state that would be considered a felony in this state**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 152**, entitled:

An Act to repeal sections 29.380, 260.200, 260.225, 260.250, 260.320, 260.325, 260.330, 260.335, and 260.345, RSMo, and to enact in lieu thereof eleven new sections relating to environmental protection.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 152, Page 21,

Section 620.3150, Line 3, by inserting after all of said section and line the following:

“643.650 1. Any owner of a coal-fired electric generating source in a National Ambient Air Quality Standards nonattainment area currently designated as of April 1, 2015, shall develop an ambient air quality monitoring or modeling network to characterize the sulfur dioxide air quality surrounding the electric generating source. The network shall adequately monitor the ambient air quality for sulfur dioxide surrounding the entire electric generating source and shall operate for not less than twelve consecutive quarters. The owner of such electric generating source shall notify the department of the manner in which it intends to characterize by either modeling or monitoring the air quality around such source. The location of any monitoring network installed by the owner of such electric generating source within a one-hour sulfur dioxide National Ambient Air Quality Standards nonattainment area shall be approved by the department.

2. Affected sources located in undesignated areas that elect to use monitoring to evaluate ambient air quality shall be consulted by the department on the use of existing monitors as well as the location of any new monitors intended to comprise the sulfur dioxide monitoring network. The department shall not submit its recommendation to the Environmental Protection Agency on the manner in which data will be gathered for the designation process that is inconsistent with the elections made by affected sources under this section. Where affected sources have elected to monitor under this section, the department shall submit recommendations for the designation process by the date set by a final, effective, and applicable Environmental Protection Agency requirement relating to state attainment designations and not prior.

3. The department shall consider all ambient air quality monitoring network data collected under subsection 1 of this section and under any agreement authorized under this subsection prior to proposing to the commission any sulfur dioxide limitation, emission reduction requirement, or other requirement for purposes of the one-hour sulfur dioxide National Ambient Air Quality Standard for any electric generating source that has elected to install a monitoring network under this section, except:

(1) The department may propose to the commission any sulfur dioxide limitations or emission reduction requirements specifically agreed to in any voluntary agreement entered into between the department and any owner of an electric generating source that has elected to install a monitoring network under this section; and

(2) The department may propose to the commission any adjustments to the sulfur dioxide limitations or emission reduction requirements applicable to any electric generating source located in a sulfur dioxide nonattainment area and subject to an agreement under subdivision (1) of this subsection, as justified by an ambient air quality analysis relying on no fewer than two quarters of monitored data collected through the monitoring network allowable under subsection 1 of this section and consistent with such agreement.

4. Nothing in this section shall prohibit the department from entering into an agreement with an owner of an electric generating source to limit or reduce sulfur dioxide emissions at such affected source that is below the source's permitted sulfur dioxide emission rate.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 152, Page 20, Section 260.345, Line 36, by inserting after all of said section and line the following:

“306.910. 1. For purposes of this section, the following terms shall mean:

(1) “Outfitter”, any individual, group, corporation, or other business entity which rents or provides the opportunity to the public to use any watercraft on the state’s streams or rivers;

(2) “Water patrol division”, the water patrol division of the state highway patrol;

(3) “Watercraft”, any canoe, kayak, raft, innertube, or other flotation device propelled by the use of paddles, oars, or other nonmotorized means of propulsion.

2. By January 1, 2016, the water patrol division shall develop an informational brochure regarding the laws, regulations, and associated penalties relating to recreational water use as they pertain to individuals participating in the recreational use of the state’s streams or rivers.

3. The water patrol division shall distribute the informational brochures developed under this section to all campgrounds and outfitters that rent or provide watercraft for use on a stream or river.

4. No more than one hundred thousand dollars shall be expended on the development and printing of the informational brochure under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HB 41**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

On behalf of Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, Senator Richard submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 511**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following reports:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 88**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 326**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 361**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 400**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 402**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 403**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 404**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 567**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 629**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 778**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 859**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 861**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 874**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 1116**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 1119**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 979**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1052**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1098**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred

HB 391, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HB 343**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 947**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 149**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 179**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 269**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which were referred **HB 522**, **HB 34**, **HB 133**, **HB 134**, **HB 810**, **HB 338** and **HB 873**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 650**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 869**, begs leave to report that it has considered the same and recommends that the bill do pass

and be placed on the Consent Calendar.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 435**, **SB 317** and **SB 200**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SB 200** to the Committee on Governmental Accountability and Fiscal Oversight.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS** for **HCS** for **HB 42**, as amended, and **HB 150**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Romine assumed the Chair.

HOUSE BILLS ON THIRD READING

Senator Pearce moved that **SCS** for **HCS** for **HB 42**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

SCS for **HCS** for **HB 42**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Sifton	Wallingford
Wasson	Wieland—26						

NAYS—Senators

Kraus	Schupp	Walsh—3
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Absent—Senators—None

Absent with leave—Senators

Emery	LeVota	Schatz	Schmitt	Silvey—5
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Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schupp	Sifton
Wallingford	Walsh	Wasson	Wieland—28				

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators

Emery	LeVota	Schatz	Schmitt	Silvey—5
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Vacancies—None

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kehoe moved that **HB 150** be taken up for 3rd reading and final passage, which motion prevailed.

HB 150 was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Wallingford	Wasson	Wieland—21			

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton	Walsh—8
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Absent—Senators—None

Absent with leave—Senators

Emery	LeVota	Schatz	Schmitt	Silvey—5
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Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 457**, entitled:

An Act to repeal section 170.310, RSMo, and to enact in lieu thereof one new section relating to cardiopulmonary instruction in schools.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1064**, entitled:

An Act to repeal sections 362.111, 369.159, and 370.073, RSMo, and to enact in lieu thereof three new sections relating to contractual fees charged by certain financial institutions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 813, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. James Francis Burke, which was adopted.

Senator Libla offered Senate Resolution No. 814, regarding Lester “Bud” Pinner, Poplar Bluff, which was adopted.

Senator LeVota offered Senate Resolution No. 815, regarding the One Hundredth Birthday of Mabel Whaley, Independence, which was adopted.

Senator Hegeman offered Senate Resolution No. 816, regarding the Sixtieth Anniversary of KTTN Radio Station, Trenton, which was adopted.

Senator Dixon offered Senate Resolution No. 817, regarding Aneva Jefferson, Springfield, which was adopted.

Senator Libla offered Senate Resolution No. 818, regarding Sam Giambelluca, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Holsman introduced to the Senate, James and Lisa Bone, Gladstone.

Senator Munzlinger introduced to the Senate, Dean Dr. Margaret Wilson; Richard Thomas, Tyler Nickle, Bruce Wallace, Leslie Wilson, Brett Wilson, Jordan Palmer and students from ATSU-Kirksville College of Osteopathic Medicine.

Senator Wasson introduced to the Senate, Jennifer Murray, and her son, Connor; and Connor was made an honorary page.

Senator Sater introduced to the Senate, nine students from the Missouri Alliance of Boys and Girls

Clubs.

Senator Cunningham introduced to the Senate, David Broeker and Jerry Wilbers, Jefferson City.

Senator Schaaf introduced to the Senate, Lauryn Newhart, Faucett.

On behalf of Senator Pearce, the President introduced to the Senate, Ron Brohammer, Rebecca Hoeflecker, Tonya Willim, Marilyn Odell, Ashlee Willim, Linda Emley, Jim Carter, Keesha Johnson, Natalie Lamar, Valerie Johnson, Bill Purcell, Connie Taylor, Christal Milligan and Chastidy Loftin, Richmond.

Senator Sater introduced to the Senate, Randy Fogle, Branson.

Senator Schupp introduced to the Senate, Patty Sebastian and Hailey Sherman, Creve Coeur; and Hailey was made an honorary page.

On behalf of Senator Pearce, the President introduced to the Senate, Jennifer Poston, Carrollton; Kevin Harris, Trenton; and Duane Thompson, Brookfield.

Senator Kehoe introduced to the Senate, Hakeem Din-Gabisi, Jefferson City.

On behalf of Senator Pearce, the President introduced to the Senate, Duane and Carolyn Harms, Leeton.

Senator Hegeman introduced to the Senate, students from Maysville High School.

Senator Walsh introduced to the Senate, teachers, Debbie Tesson and Terri Watkins; chaperones; and forty-nine fourth and fifth grade students from St. Norbert Catholic School, Florissant; and Paige Bradley, Max Tatoian, Tori King and Theodore J. Heitzler, Jr. were made honorary pages.

Senator Schupp introduced to the Senate, Ellen Alper and Darren Arnstein, National Council of Jewish Women, St. Louis.

Senator Nasheed introduced to the Senate, students from The Bertha Knox Gilkey Pamoja Preparatory School, St. Louis.

Senator Holsman introduced to the Senate, fifth grade students from Academie Lafayette, Kansas City.

Senator Schaaf introduced to the Senate, Phillip and Bernadette Glick, and their daughter, Catherine; and Catherine was made an honorary page.

Senator Holsman introduced to the Senate, former State Senator Jolie Justus, Kansas City.

Senator Dixon introduced to the Senate, his wife, Amanda and Aneva Jefferson, Springfield.

Senator Pearce introduced to the Senate, Bob and Laurie Lawson, Warrensburg.

Senator Pearce introduced to the Senate, Melissa Walker, Jefferson City.

Senator Cunningham introduced to the Senate, the Fire Chief and members of the West Plains Fire Department.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-THIRD DAY—THURSDAY, APRIL 16, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 712
HCS for HBs 35 & 323
HB 229-McCaherty
HCS for HB 380
HB 1022-Gosen
HB 410-Kelley
HCS for HB 882
HCS for HB 319
HB 254-Crawford
HCS for HB 1063
HCS for HB 1019
HCS for HB 272

HCS for HB 14
HB 523-Burlison
HCS for HB 637
HB 982-Rowden
HB 336-McGaugh
HCS for HBs 636 & 645
HCS for HB 926
HB 148-Fitzpatrick
HCS for HB 268
HCS for HB 811
HCS for HB 457
HB 1064-Shull

THIRD READING OF SENATE BILLS

1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)
2. SCS for SB 56-Munzlinge
(In Fiscal Oversight)
3. SS for SB 201-Dixon
(In Fiscal Oversight)
4. SB 203-Dixon (In Fiscal Oversight)
5. SB 155-Nasheed (In Fiscal Oversight)
6. SB 389-Silvey and Walsh
(In Fiscal Oversight)
7. SCS for SB 328-Schupp

8. SCS for SB 190-Curls
9. SS for SB 365-Schmitt
10. SS#2 for SB 386-Keaveny
(In Fiscal Oversight)
11. SB 401-Schmitt and Richard
(In Fiscal Oversight)
12. SB 334-Nasheed
13. SCS for SB 435-Walsh
14. SB 317-Brown
15. SB 200-Dixon (In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

HB 92-Miller (Kehoe)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)	SB 339-Munzlinger
SB 53-Schaaf	SB 352-Schaefer
SB 55-Munzlinger	SB 358-Kehoe
SB 59-Dixon	SB 366-Schmitt
SB 69-LeVota, with SCS	SB 371-Munzlinger
SB 80-Dixon, with SCS	SB 372-Keaveny, with SCS (pending)
SB 87-Emery, with SCS	SB 373-Libla
SB 91-Dixon, with SCS	SB 377-Schatz
SB 112-Dixon, with SCS	SB 400-Onder
SB 141-Parson	SB 416-Wasson
SB 142-Romine, with SCS & SS#2 for SCS (pending)	SB 420-Schmitt
SB 145-Pearce, with SCS	SB 424-Pearce, with SA 1 (pending)
SB 151-Sater	SB 430-Curls
SB 159-Parson	SB 433-Dixon and Dempsey
SB 167-Schaaf, with SCS	SB 452-Schmitt, et al, with SA 1 & point of order (pending)
SB 199-Dixon, et al, with SCS	SB 457-Sater
SB 225-Romine, with SCS	SB 463-Dixon
SB 227-Emery, with SS (pending)	SB 469-Munzlinger
SB 232-Kehoe, with SCS	SB 475-Dempsey, with SS (pending)
SB 233-Kehoe, with SCS & SA 2 (pending)	SB 481-Onder, with SCS
SB 268-Pearce, with SCS	SB 488-Cunningham
SB 299-Pearce	SB 517-Wasson, with SCS
SB 302-Riddle, with SCS (pending)	SB 539-Brown, with SCS
SB 304-Keaveny, with SCS	SB 540-Libla, with SS (pending)
SB 305-Onder	SB 567-Chappelle-Nadal, et al
SB 314-Wallingford	SJR 7-Richard and Wallingford
SBs 331 & 21-Libla, with SCS & SS for SCS (pending)	SJR 12-Onder, with SCS (pending)

CONSENT CALENDAR

House Bills

Reported 4/9

HB 125-Black (Romine)

Reported 4/15

HB 41-Wood, with SCS (Kehoe)	HB 1116-Rehder
HB 511-Mathews	HB 1119-Redmon
HB 88-Walton Gray (Walsh)	HB 979-Dugger (Pearce)
HB 326-Leara (Kehoe)	HB 1052-Miller
HB 361-Spencer (Riddle)	HB 1098-Crawford, with SCS (Kraus)
HB 400-Peters	HB 391-Gosen (Wasson)
HB 402-Phillips (Sater)	HB 343-Lair, with SCS (Wieland)
HB 403-Phillips, with SCS (Sater)	HB 947-Wiemann, with SCS (Wallingford)
HB 404-Phillips (Sater)	HB 149-Fitzpatrick
HB 567-Dunn	HB 179-Chipman (Brown)
HB 629-Leara (Silvey)	HB 269-Miller
HB 778-Ruth	HBs 522, 34, 133, 134, 810, 338 &
HB 859-Dunn	873-Cookson, with SCS (Libla)
HB 861-Fitzwater (49) (Wasson)	HB 650-Cornejo (Schaefer)
HB 874-Remole (Munzlinger)	HB 869-Solon (Schatz)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 104-Kraus, with HCS, as amended	SCS for SB 152-Wallingford, with HCS, as amended
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BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1, HA 2, as amended, HA 3, as amended & HA 4	HCS for HB 6, with SCS (Schaefer)
SS#2 for SCS for SB 24-Sater, with HCS, as amended (Senate adopted CCR and passed CCS)	HCS for HB 7, with SCS (Schaefer)
HCS for HB 2, with SCS (Schaefer)	HCS for HB 8, with SCS (Schaefer)
HCS for HB 3, with SCS (Schaefer)	HCS for HB 9, with SCS (Schaefer)
HCS for HB 4, with SCS (Schaefer)	HCS for HB 10, with SCS (Schaefer)
HCS for HB 5, with SCS (Schaefer)	HCS for HB 11, with SCS, as amended (Schaefer)
	HCS for HB 12, with SS for SCS (Schaefer)
	HCS for HB 13, with SCS (Schaefer)

RESOLUTIONS

Reported from Committee

SCR 13-Curls

SCRs 21, 19 & 23-Dixon, et al, with SCS

To be Referred

HCR 39-Houghton

HCS for HCR 49

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-THIRD DAY—THURSDAY, APRIL 16, 2015

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will walk with integrity of heart within my house;” (Psalm 101:2b)

Loving God, grant us faith that is constantly grounded in Your ways. As we finish our work here and head home may we journey always toward Your heavenly prize. Help us to find in Your word all the comfort and guidance we need in our lives to be a witness to Your love of us. And, may we be filled with Your purpose all our days. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

Absent—Senators—None

Absent with leave—Senator Emery—1

Vacancies—None

RESOLUTIONS

On behalf of Senator Emery, Senator Richard offered Senate Resolution No. 819, regarding the One Hundred Thirtieth Anniversary of Southwest Community Services, Nevada, which was adopted.

Senator Curls offered Senate Resolution No. 820, regarding the Fiftieth Wedding Anniversary of Reverend and Mrs. John Modest Miles, Kansas City, which was adopted.

Senator Wasson offered Senate Resolution No. 821, regarding Jay Osborne, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Lane J. Roberts, as Director of the Department of Public Safety;

Also,

Robert Hartnett, as Chairman of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects;

Also,

Kelley F. Farrell, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District; and

Vanessa F. Cooksey, Independent, as a member of the Harris-Stowe State University Board of Regents.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SB 401**, **SB 389** and **SB 155** begs leave to report that it has considered the same and recommends that the bills do pass.

SENATE BILLS FOR PERFECTION

Senator Munzlinger moved that **SB 339** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Munzlinger offered **SS** for **SB 339**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 339

An Act to repeal sections 153.030 and 231.444, RSMo, and to enact in lieu thereof three new sections relating to property taxation.

Senator Munzlinger moved that **SS** for **SB 339** be adopted.

At the request of Senator Munzlinger, **SB 339**, with **SS** (pending), was placed on the Informal Calendar.

Senator Dempsey moved that **SB 475**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Hegeman assumed the Chair.

At the request of Senator Dempsey, **SS** for **SB 475** was withdrawn.

Senator Dempsey offered **SS No. 2** for **SB 475**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 475

An Act to repeal section 105.716, RSMo, and to enact in lieu thereof two new sections relating to the intervention of the general assembly in certain civil actions, with an emergency clause.

Senator Dempsey moved that **SS No. 2** for **SB 475** be adopted.

Senator Dempsey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 475, Page 2, Section 21.415, Line 23, by inserting immediately after the word “if” the following: “**the senate or the house of representatives is named as a party in any civil action or**”; and further amend lines 25-26 by striking the following words: “involving a member or members of only one house of the general assembly”; and further amend line 26 by inserting after the word “such” the following: “**body or**”; and further amend line 28 by inserting after the word “the” the following: “**body or**”.

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Dempsey moved that **SS No. 2** for **SB 475**, as amended, be adopted, which motion prevailed.

On motion of Senator Dempsey, **SS No. 2** for **SB 475**, as amended, was declared perfected and ordered printed.

Senator Parson moved that **SB 141** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 141** was declared perfected and ordered printed.

Senator Sater moved that **SB 457** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Sater offered **SS** for **SB 457**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 457

An Act to repeal section 338.200, RSMo, and to enact in lieu thereof three new sections relating to pharmacy.

Senator Sater moved that **SS** for **SB 457** be adopted, which motion prevailed.

On motion of Senator Sater, **SS** for **SB 457** was declared perfected and ordered printed.

Senator Curls moved that **SB 430** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Curls, **SB 430** was declared perfected and ordered printed.

Senator Brown moved that **SB 539**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 539**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 539

An Act to amend chapter 49, RSMo, by adding thereto one new section relating to the authority of county officers to provide passport services.

Was taken up.

Senator Brown moved that **SCS** for **SB 539** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 539** was declared perfected and ordered printed.

THIRD READING OF SENATE BILLS

SB 155, introduced by Senator Nasheed, entitled:

An Act to amend chapter 589, RSMo, by adding thereto one new section relating to neighborhood safety.

Was taken up.

On motion of Senator Nasheed, **SB 155** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Emery—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Nasheed, title to the bill was agreed to.

Senator Nasheed moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 389, introduced by Senators Silvey and Walsh, entitled:

An Act to repeal sections 34.040 and 136.055, RSMo, and to enact in lieu thereof two new sections relating to competitive bidding, with an emergency clause.

Was taken up by Senator Silvey.

On motion of Senator Silvey, **SB 389** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Emery—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Emery—1

Vacancies—None

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for SB 328, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 328

An Act to amend chapter 170, RSMo, by adding thereto two new sections relating to youth suicide awareness and prevention education.

Was taken up by Senator Schupp.

On motion of Senator Schupp, **SCS for SB 328** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Emery—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schupp, title to the bill was agreed to.

Senator Schupp moved that the vote by which the bill passed be reconsidered.

Senator Schaaf moved that motion lay on the table, which motion prevailed.

SCS for SB 190, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 190

An Act to repeal section 92.402, RSMo, and to enact in lieu thereof one new section relating to public mass transportation sales taxes.

Was taken up by Senator Curls.

On motion of Senator Curls, **SCS for SB 190** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schatz	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators

Kraus	Schaefer	Schmitt—3
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Absent—Senators—None

Absent with leave—Senator Emery—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for SB 365, introduced by Senator Schmitt, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 365

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to the special needs of certain individuals.

Was taken up.

On motion of Senator Schmitt, **SS for SB 365** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Emery—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 401, introduced by Senators Schmitt and Richard, entitled:

An Act to repeal section 99.845, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

Was taken up.

On motion of Senator Schmitt, **SB 401** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Emery—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 334, introduced by Senator Nasheed, entitled:

An Act to repeal sections 174.030, 174.310, and 174.332, RSMo, and to enact in lieu thereof three new sections relating to boards of regents of state colleges and universities.

Was taken up.

On motion of Senator Nasheed, **SB 334** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Emery—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Nasheed, title to the bill was agreed to.

Senator Nasheed moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SCS for **SB 435**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 435

An Act to authorize the conveyance of property owned by the state in St. Louis County to St. Louis County.

Was taken up by Senator Walsh.

On motion of Senator Walsh, **SCS** for **SB 435** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Emery—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 317, introduced by Senator Brown, entitled:

An Act to authorize the conveyance by the governor of property owned by the state of Missouri to the state highways and transportation commission.

Was taken up.

On motion of Senator Brown, **SB 317** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schatz
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators—None

Absent—Senators

Schaefer Schmitt—2

Absent with leave—Senator Emery—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Nasheed, title to the bill was agreed to.

Senator Nasheed moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Kraus moved that the Senate refuse to concur in **HCS** for **SB 104**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Wallingford moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 152**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Pearce assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 514**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 405**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 497**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 266**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HB 458**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Keaveny, Chairman of the Committee on Progress and Development, submitted the following report:

Mr. President: Your Committee on Progress and Development, to which was referred **SB 360**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following report:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 515**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HJR 1**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 313**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which were referred **SB 451**, **SB 307**, **SB 100** and **SB 165** begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 152**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 108**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 432**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 528**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS for HB 50**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 455**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 392**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 44**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **HCS for HB 777**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 471**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 177**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 442**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **SB 46**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 520**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 409**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 427**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 533**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HB 556**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SB 286**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 836**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 267**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 476**, **SCS** for **SB 321**, **SS** for **SCS** for **SB 354**, **SB 369**, **SB 474**, **SB 500** and **SB 561**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **HCR 39** and **HCS** for **HCR 49** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

Senator Kehoe assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 538**, entitled:

An Act to amend chapters 195 and 338, RSMo, by adding thereto two new sections relating to dispensing opioid antagonist drugs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 557**, entitled:

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to the protection of parental rights.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 643**, entitled:

An Act to repeal sections 50.1175, 70.600, and 86.207, RSMo, and to enact in lieu thereof four new sections relating to local government retirement systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 776**, entitled:

An Act to repeal section 8.177, RSMo, and to enact in lieu thereof two new sections relating to the commission on capitol security infrastructure.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 918**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto two new sections relating to the Missouri state funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 405** and **381**, entitled:

An Act to repeal section 161.095, RSMo, and to enact in lieu thereof one new section relating to high school equivalency degree testing.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 923**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to state energy plans.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 296**, entitled:

An Act to amend chapter 190, RSMo, by adding thereto one new section relating to the first informer broadcasters act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 129**, entitled:

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to inmate charges for medical treatment at correctional facilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 444**, entitled:

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to an income tax deduction for volunteer firefighters.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 759**, entitled:

An Act to repeal section 144.190, RSMo, and to enact in lieu thereof one new section relating to sales tax refund claims.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 868**, entitled:

An Act to repeal sections 99.848, 190.102, 190.103, and 190.165, RSMo, and to enact in lieu thereof seven new sections relating to regional emergency medical services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 258**, entitled:

An Act to repeal sections 272.030, 272.230, 578.005, 578.007, and 578.011, RSMo, and to enact in lieu thereof six new sections relating to agricultural property, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1070**, entitled:

An Act to amend chapter 41, RSMo, by adding thereto one new section relating to the office of military advocate.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 121**, entitled:

An Act to amend chapter 311, RSMo, by adding thereto two new sections relating to brew-on-premises licenses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 609**, entitled:

An Act to amend chapter 375, RSMo, by adding thereto one new section relating to workers' compensation large deductible policies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 864**, entitled:

An Act to repeal section 347.048, RSMo, and to enact in lieu thereof one new section relating to real property owned by limited liability companies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 462**, entitled:

An Act to amend chapter 442, RSMo, by adding thereto one new section relating to restrictive covenants.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1134**, entitled:

An Act to repeal sections 104.403 and 104.404, RSMo, and to enact in lieu thereof two new sections relating to state employee health care incentives.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1305**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto two new sections relating to the regulatory improvement commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 672**, entitled:

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to MO HealthNet reimbursement for behavior assessment and intervention.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 110**, entitled:

An Act to amend chapter 135, RSMo, by adding thereto four new sections relating to port facilities, with an effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 692**, entitled:

An Act to repeal sections 115.603, 115.607, 115.609, 115.611, 115.613, 115.617, 115.619, and 115.621, RSMo, and to enact in lieu thereof nine new sections relating to political party committee elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 994**, entitled:

An Act to repeal section 29.230, RSMo, and to enact in lieu thereof one new section relating to audits of political subdivisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 473**, entitled:

An Act to repeal sections 67.320 and 476.083, RSMo, and to enact in lieu thereof three new sections relating to courts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 743**, entitled:

An Act to repeal section 135.766, RSMo, and to enact in lieu thereof one new section relating to guaranty fees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 996**, entitled:

An Act to repeal sections 135.1150 and 135.1180, RSMo, and to enact in lieu thereof two new sections relating to tax credits for certain contributions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 787**, entitled:

An Act to repeal sections 209.150, 209.200, and 209.202, RSMo, and to enact in lieu thereof three new sections relating to service dogs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 218**, entitled:

An Act to repeal section 57.111, RSMo, and to enact in lieu thereof one new section relating to sheriffs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 838**, entitled:

An Act to repeal section 621.035, RSMo, and to enact in lieu thereof one new section relating to representation in matters relating to tax assessments.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1087**, entitled:

An Act to repeal section 105.927, RSMo, and to enact in lieu thereof one new section relating to the state employee deferred compensation program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 42**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 712—Veterans' Affairs and Health.

HCS for HBs 35 & 323—Transportation, Infrastructure and Public Safety.

HB 229—Transportation, Infrastructure and Public Safety.

HCS for HB 380—Education.

HB 1022—Small Business, Insurance and Industry.

HB 410—Ways and Means.

HCS for HB 882—Agriculture, Food Production and Outdoor Resources.

HCS for HB 319—Veterans' Affairs and Health.

HB 254—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 1063—Governmental Accountability and Fiscal Oversight.

HCS for HB 1019—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 272—Education.

HCS for HB 14—Appropriations.

HB 523—Transportation, Infrastructure and Public Safety.

HCS for HB 637—Education.

HB 982—Agriculture, Food Production and Outdoor Resources.

HB 336—Financial and Governmental Organizations and Elections.

HCS for HBs 636 & 645—Seniors, Families and Children.

HCS for HB 926—Financial and Governmental Organizations and Elections.

HB 148—Small Business, Insurance and Industry.

HCS for HB 268—Ways and Means.

HCS for HB 811—Ways and Means.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 822, regarding Dustin Belsha, Sedalia, which was adopted.

Senator Parson offered Senate Resolution No. 823, regarding William P. Brown, Bolivar, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Clarence Stoaks, Jefferson City; and Derek Cheshareck, Morris, Illinois.

Senator Sater introduced to the Senate, Kip and Alisa Schumer, and their daughter, Bridget, Perryville.

Senator Brown introduced to the Senate, Austin Adams, Waynesville.

Senator Brown introduced to the Senate, teachers, Gary Young and Tim Belshe; and twenty-five students from Waynesville High School.

Senator Dixon introduced to the Senate, his wife, Amanda, and David and John Carr, Springfield.

Senator Parson introduced to the Senate, Jennifer Payne, her daughter, Kayci and Hallie Hogan, Humansville.

Senator Parson introduced to the Senate, his wife, Teresa, Jim and Linda Howe, and Les and Sandy Jensen, Bolivar.

On behalf of Senators Kehoe and Pearce, the President introduced to the Senate, Senator Kehoe's son, Michael, Jefferson City.

Senator Riddle introduced to the Senate, Mr. Plummer and twenty-nine eighth grade students from Sacred Heart Catholic School, Troy.

Senator Holsman introduced to the Senate, Steve Mitchum, Kansas City.

Senator Schmitt introduced to the Senate, Jack Enger, Myles Gilder, Will Moore, Kent Hocaoglu and Craig Moore, Spoede Elementary, Creve Coeur.

On motion of Senator Richard, the Senate adjourned until Monday, April 20, 2015 at 3:00 p.m.

SENATE CALENDAR

FIFTY-FOURTH DAY—MONDAY, APRIL 20, 2015

FORMAL CALENDAR**HOUSE BILLS ON SECOND READING**

HCS for HB 457

HB 1064-Shull

HCS for HB 538

HB 557-Bahr

HB 643-Hinson

HB 776-Higdon

HB 918-Johnson

HCS for HBs 405 & 381

HB 923-Miller

HCS for HB 296

HCS for HB 129
HCS for HB 444
HCS for HB 759
HCS for HB 868
HCS for HB 258
HB 1070-Davis
HCS for HB 121
HB 609-Gosen
HCS for HB 864
HB 462-Bahr
HCS for HB 1134
HB 1305-Rowden

HCS for HB 672
HCS for HB 110
HCS for HB 692
HCS for HB 994
HB 473-Higdon
HB 743-Shull
HB 996-Hoskins
HB 787-Sommer
HB 218-Wilson
HCS for HB 838
HB 1087-Bernskoetter

THIRD READING OF SENATE BILLS

- | | |
|---|---------------------------------------|
| 1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight) | 6. SB 200-Dixon (In Fiscal Oversight) |
| 2. SCS for SB 56-Munzlinger
(In Fiscal Oversight) | 7. SS for SB 476-Kehoe |
| 3. SS for SB 201-Dixon (In Fiscal Oversight) | 8. SCS for SB 321-Hegeman |
| 4. SB 203-Dixon (In Fiscal Oversight) | 9. SS for SCS for SB 354-Sater |
| 5. SS#2 for SB 386-Keaveny
(In Fiscal Oversight) | 10. SB 369-Pearce |
| | 11. SB 474-Wallingford |
| | 12. SB 500-Riddle |
| | 13. SB 561-Wasson |

SENATE BILLS FOR PERFECTION

- | | |
|--|----------------------------------|
| 1. SB 405-Hegeman | 12. SB 471-Schaaf |
| 2. SB 497-Hegeman | 13. SB 177-Munzlinger, with SCS |
| 3. SB 266-Schaefer, with SCS | 14. SB 442-Schaefer |
| 4. SB 360-Parson, with SCS | 15. SB 46-Holsman |
| 5. SB 313-Wallingford, with SCS | 16. SB 520-Kehoe, with SCS |
| 6. SBs 451, 307, 100 & 165-Dixon, with SCS | 17. SB 409-Wallingford, with SCS |
| 7. SB 432-Onder, with SCS | 18. SB 427-Sifton, with SCS |
| 8. SB 528-Sater | 19. SB 533-Riddle |
| 9. SB 455-Kehoe | 20. SB 286-Schaaf and Silvey |
| 10. SB 392-Wieland | 21. SB 267-Schaefer, with SCS |
| 11. SB 44-Nasheed, with SCS | |

HOUSE BILLS ON THIRD READING

- | | |
|-------------------------------------|---|
| 1. HB 92-Miller (Kehoe) | 7. HB 108-McCaherty |
| 2. HB 514-Leara (Schmitt) | 8. HCS for HB 50, with SCS (Parson) |
| 3. HB 458-Allen, with SCS (Schmitt) | 9. HCS for HB 777 (Kraus) |
| 4. HB 515-Leara (Keaveny) | 10. HB 556-Wood, with SCS (Wallingford) |
| 5. HJR 1-Dugger (Kraus) | 11. HB 836-Ross |
| 6. HB 152-Haahr, with SCS | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 37-Romine, with SCS & SA 1 (pending) | SBs 331 & 21-Libla, with SCS & SS for SCS (pending) |
| SB 53-Schaaf | SB 339-Munzlinger, with SS (pending) |
| SB 55-Munzlinger | SB 352-Schaefer |
| SB 59-Dixon | SB 358-Kehoe |
| SB 69-LeVota, with SCS | SB 366-Schmitt |
| SB 80-Dixon, with SCS | SB 371-Munzlinger |
| SB 87-Emery, with SCS | SB 372-Keaveny, with SCS (pending) |
| SB 91-Dixon, with SCS | SB 373-Libla |
| SB 112-Dixon, with SCS | SB 377-Schatz |
| SB 142-Romine, with SCS & SS#2 for SCS (pending) | SB 400-Onder |
| SB 145-Pearce, with SCS | SB 416-Wasson |
| SB 151-Sater | SB 420-Schmitt |
| SB 159-Parson | SB 424-Pearce, with SA 1 (pending) |
| SB 167-Schaaf, with SCS | SB 433-Dixon and Dempsey |
| SB 199-Dixon, et al, with SCS | SB 452-Schmitt, et al, with SA 1 & point of order (pending) |
| SB 225-Romine, with SCS | SB 463-Dixon |
| SB 227-Emery, with SS (pending) | SB 469-Munzlinger |
| SB 232-Kehoe, with SCS | SB 481-Onder, with SCS |
| SB 233-Kehoe, with SCS & SA 2 (pending) | SB 488-Cunningham |
| SB 268-Pearce, with SCS | SB 517-Wasson, with SCS |
| SB 299-Pearce | SB 540-Libla, with SS (pending) |
| SB 302-Riddle, with SCS (pending) | SB 567-Chappelle-Nadal, et al |
| SB 304-Keaveny, with SCS | SJR 7-Richard and Wallingford |
| SB 305-Onder | SJR 12-Onder, with SCS (pending) |
| SB 314-Wallingford | |

CONSENT CALENDAR

House Bills

Reported 4/9

HB 125-Black (Romine)

Reported 4/15

HB 41-Wood, with SCS (Kehoe)

HB 511-Mathews

HB 88-Walton Gray (Walsh)

HB 326-Leara (Kehoe)

HB 361-Spencer (Riddle)

HB 400-Peters

HB 402-Phillips (Sater)

HB 403-Phillips, with SCS (Sater)

HB 404-Phillips (Sater)

HB 567-Dunn

HB 629-Leara (Silvey)

HB 778-Ruth

HB 859-Dunn

HB 861-Fitzwater (49) (Wasson)

HB 874-Remole (Munzlinger)

HB 1116-Rehder

HB 1119-Redmon

HB 979-Dugger (Pearce)

HB 1052-Miller

HB 1098-Crawford, with SCS (Kraus)

HB 391-Gosen (Parson)

HB 343-Lair, with SCS (Wieland)

HB 947-Wiemann, with SCS (Wallingford)

HB 149-Fitzpatrick

HB 179-Chipman (Brown)

HB 269-Miller

HBs 522, 34, 133, 134, 810, 338 &
873-Cookson, with SCS (Libla)

HB 650-Cornejo (Schaefer)

HB 869-Solon (Schatz)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1,
HA 2, as amended, HA 3, as
amended & HA 4

SS#2 for SCS for SB 24-Sater, with HCS,
as amended (Senate adopted CCR and
passed CCS)

HCS for HB 2, with SCS (Schaefer)

HCS for HB 3, with SCS (Schaefer)

HCS for HB 4, with SCS (Schaefer)

HCS for HB 5, with SCS (Schaefer)

HCS for HB 6, with SCS (Schaefer)

HCS for HB 7, with SCS (Schaefer)

HCS for HB 8, with SCS (Schaefer)

HCS for HB 9, with SCS (Schaefer)

HCS for HB 10, with SCS (Schaefer)

HCS for HB 11, with SCS, as amended
(Schaefer)

HCS for HB 12, with SS for SCS (Schaefer)

HCS for HB 13, with SCS (Schaefer)

Requests to Recede or Grant Conference

SB 104-Kraus, with HCS, as amended

(Senate requests House recede or
grant conference)

HCS for HB 42 with SCS, as amended

(Pearce) (House requests Senate
recede or grant conference)

SCS for SB 152-Wallingford, with HCS, as

amended (Senate requests House
recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 13-Curls

SCRs 21, 19 & 23-Dixon, et al, with SCS

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-FOURTH DAY—MONDAY, APRIL 20, 2015

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Rejoice in the Lord, O you righteous. Praise befits the upright.” (Psalm 33:1)

Creator God, we give thanks for You have given us a new and wonderful day, safe travel and meaningful work to do. We celebrate the joy that comes from You that goes beyond circumstances to the very foundation of life with You. Your Word is uplifting and gives us knowledge that we are loved and a command to love one another. So, we pray that You will help us be truly thankful for such a new day that helps us rejoice in Your teachings. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

Absent—Senators—None

Absent with leave—Senator Emery—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 824, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Richard Lee “Dick” Stottlemeyer, Unionville, which was adopted.

Senator Libla offered Senate Resolution No. 825, regarding Alexa King, Poplar Bluff, which was adopted.

Senator Hegeman offered Senate Resolution No. 826, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Don Masters, Gallatin, which was adopted.

Senator Kraus offered Senate Resolution No. 827, regarding the Twentieth Anniversary of the Blue Ridge Church of Christ, Kansas City, which was adopted.

Senator Wieland offered Senate Resolution No. 828, regarding Sally J. Vinyard, Festus, which was adopted.

Senator Schaaf offered Senate Resolution No. 829, regarding Russell Gray, Saint Joseph, which was adopted.

Senator Wallingford offered Senate Resolution No. 830, regarding Vivek Malik, which was adopted.

Senator Sifton offered Senate Resolution No. 831, regarding Charles DeYoung, which was adopted.

Senator Romine offered Senate Resolution No. 832, regarding Darla Radford, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 833, regarding Ruby Cox, Desloge, which was adopted.

Senator Romine offered Senate Resolution No. 834, regarding Bonnie Terrell, Cedar Hill, which was adopted.

Senator Romine offered Senate Resolution No. 835, regarding Sue Merrill, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 836, regarding Deborah K. Mount, Park Hills, which was adopted.

Senator Schaaf offered Senate Resolution No. 837, regarding the death of Roger Lee Thom, which was adopted.

Senator LeVota offered Senate Resolution No. 838, regarding Jim Giokaris, Lee's Summit, which was adopted.

Senator Keaveny offered Senate Resolution No. 839, regarding Sergeant Steven Schmittgens, which was adopted.

Senator Keaveny offered Senate Resolution No. 840, regarding Sergeant Larry Richards, which was adopted.

Senator Libla offered Senate Resolution No. 841, regarding SEMO Electric Cooperative, Bloomfield, which was adopted.

Senator Libla offered Senate Resolution No. 842, regarding Fran Hendley, Bloomfield, which was adopted.

Senator Libla offered Senate Resolution No. 843, regarding Donna Deardorff, Bloomfield, which was

adopted.

Senator Libla offered Senate Resolution No. 844, regarding Jim Tweedy, Bloomfield, which was adopted.

Senator Libla offered Senate Resolution No. 845, regarding Kyle Jones, Bloomfield, which was adopted.

Senator Libla offered Senate Resolution No. 846, regarding Pam Elder, Bloomfield, which was adopted.

Senator Libla offered Senate Resolution No. 847, regarding the Trinity United Methodist Church Girls, Bloomfield, which was adopted.

CONCURRENT RESOLUTIONS

Senator Richard offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 38

WHEREAS, Section 29.351 of the Revised Statutes of Missouri provides that during the regular legislative session which convenes in an odd-numbered year, the General Assembly shall, by concurrent resolution, employ an independent certified public accountant or certified public accounting firm to conduct an audit examination of the accounts, functions, programs, and management of the State Auditor's office:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby authorize the employment of an independent certified public accountant or certified public accounting firm pursuant to the provisions of Section 29.351; and

BE IT FURTHER RESOLVED that the audit examination be made in accordance with generally accepted auditing standards, including such reviews and inspections of books, records and other underlying data and documents as are necessary to enable the independent certified public accountant performing the audit to reach an informed opinion on the condition and performance of the accounts, functions, programs, and management of the State Auditor's Office; and

BE IT FURTHER RESOLVED that upon completion of the audit, the independent certified public accountant make a written report of his or her findings and conclusions, and supply each member of the General Assembly, the Governor, and the State Auditor with a copy of the report; and

BE IT FURTHER RESOLVED that the cost of the audit and report be paid out of the joint contingent fund of the General Assembly; and

BE IT FURTHER RESOLVED that the Commissioner of Administration bid these services, at the direction of the General Assembly, pursuant to state purchasing laws; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Commissioner of Administration.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 152**, as amended, and requests the Senate to take up and adopt **HCS** for **SCS** for **SB 152**, as amended, and take up and pass **HCS** for **SCS** for **SB 152**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS No. 2** for **SCS** for **SB 24** and has taken up and passed **CCS** for **HCS** for **SS No. 2** for **SCS** for **SB 24**.

Bill ordered enrolled.

Senator Dixon requested unanimous consent of the body to correct the committee report made by the Committee on the Judiciary and Civil and Criminal Jurisprudence, March 19, 2015, on **SB 199** and others, which should have read “to which were referred **SB 199**, **SB 417**, and **SB 42**,” and the committee report made by the Committee on the Judiciary and Civil and Criminal Jurisprudence, April 2, 2015, on **SB 112** and others, which should have read “to which were referred **SB 112**, **SB 212**, **SB 143**, and **SB 234**,” which request was granted.

PRIVILEGED MOTIONS

Senator Wallingford moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 152**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Onder moved that **SB 400** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Onder offered **SS** for **SB 400**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 400

An Act to repeal section 334.040, RSMo, and to enact in lieu thereof two new sections relating to physician licensure.

Senator Onder moved that **SS** for **SB 400** be adopted.

Senator Pearce assumed the Chair.

At the request of Senator Onder, **SB 400**, with **SS** (pending), was placed on the Informal Calendar.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 141**, **SB 430**, **SS** for **SB 457**, **SS No. 2** for **SB 475**; and **SCS** for **SB 539**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **CCS** for **HCS** for **SS No. 2** for **SCS** for **SB 24**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS** for **HCS** for **SS No. 2** for **SCS** for **SB 24**, having passed both branches of the General Assembly, would be read at length

by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Pearce assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Schaefer moved that **SB 352** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

President Kinder assumed the Chair.

On motion of Senator Schaefer, **SB 352** was declared perfected and ordered printed.

Senator Wallingford moved that **SB 314** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Wallingford offered **SS** for **SB 314**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 314

An Act to amend chapter 137, RSMo, by adding thereto one new section relating to property taxation of short term rental merchandise.

Senator Wallingford moved that **SS** for **SB 314** be adopted, which motion prevailed.

Senator Romine assumed the Chair.

On motion of Senator Wallingford, **SS** for **SB 314** was declared perfected and ordered printed.

BILLS DELIVERED TO THE GOVERNOR

CCS for **HCS** for **SS No. 2** for **SCS** for **SB 24**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

PRIVILEGED MOTIONS

Senator Pearce moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 42**, as amended, and grant the House a conference thereon, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 152**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 19**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 194**.

Bill ordered enrolled.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 152**, as amended: Senators Wallingford, Romine, Libla, Sifton and Holsman.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HCS** for **HB 42**, as amended: Senators Pearce, Schmitt, Emery, Chappelle-Nadal and Holsman.

REFERRALS

President Pro Tem Dempsey referred **SB 141**, **SS** for **SB 476**; and **SS** for **SCS** for **SB 354** to the Committee on Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 20, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John B. Heskett, 316 Cheval Square Drive, Chesterfield, Saint Louis County, Missouri 63005, as a member of the Children's Trust Fund Board, for a term ending September 15, 2017, and until his successor is duly appointed and qualified; vice, Thomas M. Vansaghi, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
April 20, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Christian S. Tadrus, 8 Westwood Place, Moberly, Randolph County, Missouri 65270, as a member of the State Board of Pharmacy, for a term ending April 19, 2020, and until his successor is duly appointed and qualified; vice, Melissa D. Graham, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Dempsey referred the above appointments to the Committee on Gubernatorial Appointments.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 848, regarding Clara K. Siebert, Ironton, which was adopted.

Senator Romine offered Senate Resolution No. 849, regarding Cynthia Chitwood, Doe Run, which was adopted.

Senator Romine offered Senate Resolution No. 850, regarding Kelli Nicole Sargent, Belleview, which was adopted.

Senator Romine offered Senate Resolution No. 851, regarding Terri Walker, Ironton, which was adopted.

Senator Romine offered Senate Resolution No. 852, regarding Pamela McLaurin, Ironton, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Onder introduced to the Senate, Dr. Craig Reynolds, Ocala, Florida.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-FIFTH DAY—TUESDAY, APRIL 21, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 457
HB 1064-Shull
HCS for HB 538
HB 557-Bahr
HB 643-Hinson
HB 776-Higdon
HB 918-Johnson
HCS for HBs 405 & 381
HB 923-Miller
HCS for HB 296

HCS for HB 129
HCS for HB 444
HCS for HB 759
HCS for HB 868
HCS for HB 258
HB 1070-Davis
HCS for HB 121
HB 609-Gosen
HCS for HB 864
HB 462-Bahr

HCS for HB 1134
 HB 1305-Rowden
 HCS for HB 672
 HCS for HB 110
 HCS for HB 692
 HCS for HB 994
 HB 473-Higdon

HB 743-Shull
 HB 996-Hoskins
 HB 787-Sommer
 HB 218-Wilson
 HCS for HB 838
 HB 1087-Bernskoetter

THIRD READING OF SENATE BILLS

- | | |
|---|---|
| 1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight) | 9. SS for SCS for SB 354-Sater
(In Fiscal Oversight) |
| 2. SCS for SB 56-Munzlinger
(In Fiscal Oversight) | 10. SB 369-Pearce |
| 3. SS for SB 201-Dixon (In Fiscal Oversight) | 11. SB 474-Wallingford |
| 4. SB 203-Dixon (In Fiscal Oversight) | 12. SB 500-Riddle |
| 5. SS#2 for SB 386-Keaveny
(In Fiscal Oversight) | 13. SB 561-Wasson |
| 6. SB 200-Dixon (In Fiscal Oversight) | 14. SB 141-Parson (In Fiscal Oversight) |
| 7. SS for SB 476-Kehoe (In Fiscal Oversight) | 15. SB 430-Curls |
| 8. SCS for SB 321-Hegeman | 16. SS for SB 457-Sater |
| | 17. SS#2 for SB 475-Dempsey |
| | 18. SCS for SB 539-Brown |

SENATE BILLS FOR PERFECTION

- | | |
|--|----------------------------------|
| 1. SB 405-Hegeman | 12. SB 471-Schaaf |
| 2. SB 497-Hegeman | 13. SB 177-Munzlinger, with SCS |
| 3. SB 266-Schaefer, with SCS | 14. SB 442-Schaefer |
| 4. SB 360-Parson, with SCS | 15. SB 46-Holsman |
| 5. SB 313-Wallingford, with SCS | 16. SB 520-Kehoe, with SCS |
| 6. SBs 451, 307, 100 & 165-Dixon, with SCS | 17. SB 409-Wallingford, with SCS |
| 7. SB 432-Onder, with SCS | 18. SB 427-Sifton, with SCS |
| 8. SB 528-Sater | 19. SB 533-Riddle |
| 9. SB 455-Kehoe | 20. SB 286-Schaaf and Silvey |
| 10. SB 392-Wieland | 21. SB 267-Schaefer, with SCS |
| 11. SB 44-Nasheed, with SCS | |

HOUSE BILLS ON THIRD READING

- | | |
|---------------------------|-------------------------------------|
| 1. HB 92-Miller (Kehoe) | 3. HB 458-Allen, with SCS (Schmitt) |
| 2. HB 514-Leara (Schmitt) | 4. HB 515-Leara (Keaveny) |

- | | |
|-------------------------------------|---|
| 5. HJR 1-Dugger (Kraus) | 9. HCS for HB 777 (Kraus) |
| 6. HB 152-Haahr, with SCS (Dempsey) | 10. HB 556-Wood, with SCS (Wallingford) |
| 7. HB 108-McCaherty | 11. HB 836-Ross (Libla) |
| 8. HCS for HB 50, with SCS (Parson) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 37-Romine, with SCS & SA 1 (pending) | SBs 331 & 21-Libla, with SCS & SS for
SCS (pending) |
| SB 53-Schaaf | SB 339-Munzlinger, with SS (pending) |
| SB 55-Munzlinger | SB 358-Kehoe |
| SB 59-Dixon | SB 366-Schmitt |
| SB 69-LeVota, with SCS | SB 371-Munzlinger |
| SB 80-Dixon, with SCS | SB 372-Keaveny, with SCS (pending) |
| SB 87-Emery, with SCS | SB 373-Libla |
| SB 91-Dixon, with SCS | SB 377-Schatz |
| SBs 112, 212, 143 & 234-Dixon, with SCS | SB 400-Onder, with SS (pending) |
| SB 142-Romine, with SCS & SS#2 for SCS
(pending) | SB 416-Wasson |
| SB 145-Pearce, with SCS | SB 420-Schmitt |
| SB 151-Sater | SB 424-Pearce, with SA 1 (pending) |
| SB 159-Parson | SB 433-Dixon and Dempsey |
| SB 167-Schaaf, with SCS | SB 452-Schmitt, et al, with SA 1 & point
of order (pending) |
| SBs 199, 417 & 42-Dixon, et al, with SCS | SB 463-Dixon |
| SB 225-Romine, with SCS | SB 469-Munzlinger |
| SB 227-Emery, with SS (pending) | SB 481-Onder, with SCS |
| SB 232-Kehoe, with SCS | SB 488-Cunningham |
| SB 233-Kehoe, with SCS & SA 2 (pending) | SB 517-Wasson, with SCS |
| SB 268-Pearce, with SCS | SB 540-Libla, with SS (pending) |
| SB 299-Pearce | SB 567-Chappelle-Nadal, et al |
| SB 302-Riddle, with SCS (pending) | SJR 7-Richard and Wallingford |
| SB 304-Keaveny, with SCS | SJR 12-Onder, with SCS (pending) |
| SB 305-Onder | |

CONSENT CALENDAR

House Bills

Reported 4/9

HB 125-Black (Romine)

Reported 4/15

HB 41-Wood, with SCS (Kehoe)	HB 1116-Rehder (Libla)
HB 511-Mathews (Schatz)	HB 1119-Redmon
HB 88-Walton Gray (Walsh)	HB 979-Dugger (Pearce)
HB 326-Leara (Kehoe)	HB 1052-Miller (Wasson)
HB 361-Spencer (Riddle)	HB 1098-Crawford, with SCS (Kraus)
HB 400-Peters	HB 391-Gosen (Parson)
HB 402-Phillips (Sater)	HB 343-Lair, with SCS (Wieland)
HB 403-Phillips, with SCS (Sater)	HB 947-Wiemann, with SCS (Wallingford)
HB 404-Phillips (Sater)	HB 149-Fitzpatrick
HB 567-Dunn (Curls)	HB 179-Chipman (Brown)
HB 629-Leara (Silvey)	HB 269-Miller
HB 778-Ruth	HBs 522, 34, 133, 134, 810, 338 &
HB 859-Dunn (Curls)	873-Cookson, with SCS (Libla)
HB 861-Fitzwater (49) (Wasson)	HB 650-Cornejo (Schaefer)
HB 874-Remole (Munzlinger)	HB 869-Solon (Schatz)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1, HA 2, as amended, HA 3, as amended & HA 4	HCS for HB 7, with SCS (Schaefer)
SCS for SB 152-Wallingford, with HCS, as amended	HCS for HB 8, with SCS (Schaefer)
HCS for HB 2, with SCS (Schaefer)	HCS for HB 9, with SCS (Schaefer)
HCS for HB 3, with SCS (Schaefer)	HCS for HB 10, with SCS (Schaefer)
HCS for HB 4, with SCS (Schaefer)	HCS for HB 11, with SCS, as amended (Schaefer)
HCS for HB 5, with SCS (Schaefer)	HCS for HB 12, with SS for SCS (Schaefer)
HCS for HB 6, with SCS (Schaefer)	HCS for HB 13, with SCS (Schaefer)
	HCS for HB 42 with SCS, as amended (Pearce)

Requests to Recede or Grant Conference

SB 104-Kraus, with HCS, as amended
(Senate requests House recede or
grant conference)

RESOLUTIONS

Reported from Committee

SCR 13-Curls

SCRs 21, 19 & 23-Dixon, et al, with SCS

To be Referred

SCR 38-Richard

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-FIFTH DAY—TUESDAY, APRIL 21, 2015

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“But the Lord has become my stronghold; and my God is the rock of my refuge.” (Psalm 94:22)

We are thankful Lord for You are with us when difficulties and pressures start to accumulate like waters that crest before a flood. You are our high ground and there is safety in You. We trust in You this day and in Your goodness and Your promise that You are always with us. So, no matter how many difficult bills come before us we know You will guide us to make the right decisions that are most helpful to those we serve. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

The Senate observed a moment of silence in memory of Helen Emery.

RESOLUTIONS

Senator Silvey offered Senate Resolution No. 853, regarding Jake Hall, Liberty, which was adopted.

Senator Kehoe offered Senate Resolution No. 854, regarding Debbie Poire, Linn, which was adopted.

Senator Munzlinger offered Senate Resolution No. 855, regarding Seamus Roy McGarvey, which was adopted.

Senator Munzlinger offered Senate Resolution No. 856, regarding Terence William McGarvey, IV, which was adopted.

Senator Sater offered Senate Resolution No. 857, regarding Bridget Schumer, Perryville, which was adopted.

Senator Sater offered Senate Resolution No. 858, regarding Shelby Thomas, Crane, which was adopted.

Senator LeVota offered Senate Resolution No. 859, regarding Kevin Sexton, Carrollton, which was adopted.

Senator LeVota offered Senate Resolution No. 860, regarding Alise Martiny, Independence, which was adopted.

Senator LeVota offered Senate Resolution No. 861, regarding Joseph S. Capra, Kansas City, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 352** and **SS** for **SB 314**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 19**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 42**, as amended. Representatives: Wood, Cierpiot, Lair, Pierson and Curtis.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 152**, as amended. Representatives: Miller, Ross, Berry, Smith and Nichols.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 104**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 104**, as amended. Representatives: Dugger, Entlicher, Alferman, Conway (10) and Newman.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1084**, entitled:

An Act to amend chapter 643, RSMo, by adding thereto one new section relating to sulfur dioxide ambient air quality monitoring.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 796**, entitled:

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof two new sections relating to public assistance.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 752**, entitled:

An Act to repeal section 105.669, RSMo, and to enact in lieu thereof one new section relating to public employee retirement plan benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 734**, entitled:

An Act to repeal sections 135.341, 210.001, 210.110, 455.230, and 492.304, RSMo, and to enact in lieu thereof seven new sections relating to child protection.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 684**, entitled:

An Act to repeal section 475.125, RSMo, and to enact in lieu thereof five new sections relating to guardianships.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1002**, entitled:

An Act to repeal sections 301.140, 301.190, and 407.581, RSMo, and to enact in lieu thereof three new sections relating to the ownership of motor vehicles.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 832**, entitled:

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to the inspection of certain x-ray systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 976**, entitled:

An Act to repeal sections 210.003, 210.221, and 210.861, RSMo, and to enact in lieu thereof six new sections relating to the protection of children, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 1093**, entitled:

An Act to repeal section 261.241, RSMo, and to enact in lieu thereof one new section relating to honey.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 104**, as amended: Senators Kraus, Wasson, Hegeman, Keaveny and Schupp.

SENATE BILLS FOR PERFECTION

Senator Hegeman moved that **SB 405** be taken up for perfection, which motion prevailed.

On motion of Senator Hegeman, **SB 405** was declared perfected and ordered printed.

Senator Emery moved that **SB 87**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 87**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 87

An Act to repeal section 29.230, RSMo, and to enact in lieu thereof one new section relating to audits of political subdivisions.

Was taken up.

Senator Emery moved that **SCS** for **SB 87** be adopted.

President Kinder assumed the Chair.

Senator Emery offered **SS** for **SCS** for **SB 87**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 87

An Act to repeal section 29.230, RSMo, and to enact in lieu thereof one new section relating to audits of political subdivisions.

Senator Emery moved that **SS** for **SCS** for **SB 87** be adopted, which motion prevailed.

On motion of Senator Emery, **SS** for **SCS** for **SB 87** was declared perfected and ordered printed.

Senator Schaaf moved that **SB 53** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Schaaf offered **SS** for **SB 53**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 53

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to certificate of need for long-term care facilities.

Senator Pearce assumed the Chair.

Senator Schaaf moved that **SS** for **SB 53** be adopted.

On motion of Senator Schaaf, **SB 53**, with **SS** (pending), was placed on the Informal Calendar.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SCS** for **SB 19**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Kehoe assumed the Chair.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1** to **SA 1**, **SA 1**, as amended, **SA 2**, **SA 3** and **SA 4** to **HB 150** and has taken up and passed **HB 150**, as amended.

President Pro Tem Dempsey assumed the Chair.

REFERRALS

President Pro Tem Dempsey referred **HB 514**; **HJR 1**; **HCS** for **HB 50**, with **SCS**; **HB 556**, with **SCS**; and **SB 352** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **SCR 38** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

Senator Dixon assumed the Chair.

BILLS DELIVERED TO THE GOVERNOR

SCS for **SB 19**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HB 457**—Education.

HB 1064—Financial and Governmental Organizations and Elections.

HCS for **HB 538**—Veterans' Affairs and Health.

HB 557—Judiciary and Civil and Criminal Jurisprudence.

HB 643—General Laws and Pensions.

HB 776—Rules, Joint Rules, Resolutions and Ethics.

HB 918—Commerce, Consumer Protection, Energy and the Environment.

HCS for HBs 405 and 381—Education.

HB 923—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 296—Transportation, Infrastructure and Public Safety.

HCS for HB 129—Veterans' Affairs and Health.

HCS for HB 444—Ways and Means.

HCS for HB 759—Ways and Means.

HCS for HB 868—Jobs, Economic Development and Local Government.

HCS for HB 258—Agriculture, Food Production and Outdoor Resources.

HB 1070—Veterans' Affairs and Health.

HCS for HB 121—Jobs, Economic Development and Local Government.

HB 609—Small Business, Insurance and Industry.

HCS for HB 864—Small Business, Insurance and Industry.

HB 462—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 1134—General Laws and Pensions.

HB 1305—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 672—Veterans' Affairs and Health.

HCS for HB 110—Jobs, Economic Development and Local Government.

HCS for HB 692—Financial and Governmental Organizations and Elections.

HCS for HB 994—Jobs, Economic Development and Local Government.

HB 473—Jobs, Economic Development and Local Government.

HB 743—Jobs, Economic Development and Local Government.

HB 996—Jobs, Economic Development and Local Government.

HB 787—Veterans' Affairs and Health.

HB 218—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 838—Financial and Governmental Organizations and Elections.

HB 1087—General Laws and Pensions.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 220**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 24**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 35**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 36**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 38**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 38

Whereas, human trafficking is a form of slavery in which psychological and physical coercion is used to force people to perform commercial sex acts, house-keeping, farm work, and other types of labor and services; and

Whereas, the human trafficking industry generates one hundred fifty billion dollars in annual profits throughout the world on the backs of an estimated twenty-one million victims, including five and a half million children; and

Whereas, despite the efforts of dozens of nonprofit organizations dedicated to fighting human trafficking, it is the fastest growing criminal industry in the world:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create the Human Trafficking Task Force; and

Be It Further Resolved that the mission of the task force shall be to raise awareness of the human trafficking problem in Missouri and provide organizations and agencies that enforce human trafficking laws and assist victims with a central place to share information; and

Be It Further Resolved that the task force shall consist of the following members:

- (1) Two members of the Senate to be appointed by the President Pro Tempore of the Senate;
- (2) Two members of the House of Representatives to be appointed by the Speaker of the House of Representatives;
- (3) The Attorney General or his or her designee;
- (4) The Director of the Department of Public Safety or his or her designee;
- (5) A circuit court judge who has experience handling juvenile court matters, appointed by the President Pro Tempore of the Senate;
- (6) A prosecuting or circuit attorney, appointed by the Speaker of the House of Representatives;
- (7) A juvenile officer from a circuit court, appointed by the President Pro Tempore of the Senate;

- (8) The Commissioner of Education or his or her designee;
- (9) The Director of the Department of Social Services or his or her designee;
- (10) The Director of the Department of Mental Health or his or her designee;
- (11) One representative from the Office of Child Advocate, appointed by the President Pro Tempore of the Senate;
- (12) One medical provider with professional expertise in child abuse and medical forensics, appointed by the Speaker of the House of Representatives;
- (13) The chief of a municipal police force appointed by the President Pro Tempore of the Senate;
- (14) A county sheriff to be appointed by the Speaker of the House of Representatives; and
- (15) Six representatives from geographically diverse non-governmental organizations that assist victims of human trafficking, three of whom shall be appointed by the President Pro Tempore of the Senate and three of whom shall be appointed by the Speaker of the House of Representatives; and

Be It Further Resolved that the staffs of Senate Research, House Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

Be It Further Resolved that the task force, its members, and any staff assigned to the task force shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Task Force or any subcommittee thereof; and

Be It Further Resolved that the task force shall meet within two months from adoption of this resolution; and

Be It Further Resolved that the task force shall report a summary of its activities and any recommendations for legislation to the General Assembly by January 1, 2017; and

Be It Further Resolved that the Human Trafficking Task Force is authorized to function during the legislative interim of both the first and second regular sessions of the 98th General Assembly, as authorized by State v. Atterbury, 300 S.W.2d 806 (Mo. 1957); and

Be It Further Resolved that the task force shall terminate on January 1, 2017; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Attorney General, the Director of the Department of Public Safety, the Director of the Department of Mental Health, the Commissioner of Education, the Director of the Department of Social Services, and the Office of Child Advocate.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 34**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HJR 34**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 377**, entitled:

An Act to repeal section 173.750, RSMo, and to enact in lieu thereof three new sections relating to remediation prevention.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 691**, entitled:

An Act to repeal sections 105.915 and 105.927, RSMo, and to enact in lieu thereof two new sections relating to the Missouri state employees' retirement system.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 940**, entitled:

An Act to repeal section 104.1003, RSMo, and to enact in lieu thereof two new sections relating to retirement.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kinder.

THIRD READING OF SENATE BILLS

SCS for **SB 321**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 321

An Act to repeal sections 455.010, 455.020, 455.032, 455.040, 455.045, 455.050, 455.080, 455.503, 455.505, 455.513, 455.520, and 455.523, RSMo, section 455.085 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 455.085 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, section 455.538 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 455.538 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, and to enact in lieu thereof fourteen new sections relating to court orders of protection that prohibit contact with victims of sexual offenses, with penalty provisions.

Was taken up by Senator Hegeman.

On motion of Senator Hegeman, **SCS** for **SB 321** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz

Schmitt Schupp Sifton Silvey Wallingford Walsh Wasson Wieland—32

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal Parson—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 369, introduced by Senator Pearce, entitled:

An Act to authorize the conveyance of certain state property.

Was taken up.

On motion of Senator Pearce, **SB 369** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 474, introduced by Senator Wallingford, entitled:

An Act to repeal section 227.297, RSMo, and to enact in lieu thereof one new section relating to the heroes way designation program.

Was taken up.

On motion of Senator Wallingford, **SB 474** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 500, introduced by Senator Riddle, entitled:

An Act to repeal section 261.241, RSMo, and to enact in lieu thereof one new section relating to honey.

Was taken up.

On motion of Senator Riddle, **SB 500** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators

Keaveny Schupp—2

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 561, introduced by Senator Wasson, entitled:

An Act to repeal section 541.033, RSMo, and to enact in lieu thereof one new section relating to the county in which certain offenses are prosecuted.

Was taken up.

On motion of Senator Wasson, **SB 561** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senator Nasheed—1

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kehoe assumed the Chair.

SB 430, introduced by Senator Curls, entitled:

An Act to amend chapter 71, RSMo, by adding thereto one new section relating to the annexation of territory that contains any portion of a state highway.

Was taken up.

On motion of Senator Curls, **SB 430** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—33							

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Onder assumed the Chair.

SS for **SB 457**, introduced by Senator Sater, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 457

An Act to repeal section 338.200, RSMo, and to enact in lieu thereof three new sections relating to pharmacy.

Was taken up.

On motion of Senator Sater, **SS** for **SB 457** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

At the request of Senator Dempsey, **SS No. 2** for **SB 475** was placed on the Informal Calendar.

SCS for **SB 539**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 539

An Act to amend chapter 49, RSMo, by adding thereto one new section relating to the authority of county officers to provide passport services.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS** for **SB 539** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wieland—32

NAYS—Senator Wasson—1

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Wasson moved that **SB 517**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 517**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 517

An Act to repeal sections 193.015 and 193.145, RSMo, and to enact in lieu thereof two new sections relating to death certificates.

Was taken up.

Senator Wasson moved that **SCS** for **SB 517** be adopted.

Senator Wasson offered **SS** for **SCS** for **SB 517**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 517

An Act to repeal sections 193.015 and 193.145, RSMo, and to enact in lieu thereof two new sections

relating to death certificates.

Senator Wasson moved that **SS** for **SCS** for **SB 517** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SCS** for **SB 517** was declared perfected and ordered printed.

Senator Cunningham moved that **SB 488** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Cunningham, **SB 488** was declared perfected and ordered printed.

Senator Schmitt moved that **SB 366** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Schmitt offered **SS** for **SB 366**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 366

An Act to repeal section 166.435, RSMo, and to enact in lieu thereof two new sections relating to the Missouri higher education savings program, with a contingent effective date.

Senator Schmitt moved that **SS** for **SB 366** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SB 366** was declared perfected and ordered printed.

Senator Pearce moved that **SB 145**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 145**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 145

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the treatment of eating disorders.

Was taken up.

Senator Pearce moved that **SCS** for **SB 145** be adopted.

Senator Pearce offered **SS** for **SCS** for **SB 145**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 145

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the treatment of eating disorders.

Senator Pearce moved that **SS** for **SCS** for **SB 145** be adopted, which motion prevailed.

On motion of Senator Pearce, **SS** for **SCS** for **SB 145** was declared perfected and ordered printed.

Senator Schatz moved that **SB 377** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Schatz offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 377, Page 10, Section 144.030, Line 343, by striking the words “bona fide”; and further amend said line, by inserting immediately after the word “state” the following: “**or a corporation that is not incorporated in this state**”.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

Senator Onder assumed the Chair.

Senator Schatz moved that **SB 377**, as amended, be adopted, which motion prevailed.

On motion of Senator Schatz, **SB 377**, as amended, was declared perfected and ordered printed.

Senator Kehoe moved that **SB 232**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 232**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 232

An Act to repeal section 304.154, RSMo, and to enact in lieu thereof one new section relating to tow truck operations.

Was taken up.

Senator Kehoe moved that **SCS** for **SB 232** be adopted.

At the request of Senator Kehoe, **SB 232**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Romine moved that **SB 142**, with **SCS** and **SS No. 2** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Romine, **SS No. 2** for **SCS** for **SB 142** was withdrawn.

Senator Romine offered **SS No. 3** for **SCS** for **SB 142**, entitled:

SENATE SUBSTITUTE NO. 3 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 142

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to implementation impact reports.

Senator Romine moved that **SS No. 3** for **SCS** for **SB 142** be adopted.

Senator Pearce assumed the Chair.

Senator Munzlinger offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill No. 142, Page 1, Section 640.090, Line 16, by inserting after the word “commission,” the following: “**the department of conservation,**”.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Romine moved that **SS No. 3** for **SCS** for **SB 142**, as amended, be adopted, which motion prevailed.

On motion of Senator Romine, **SS No. 3** for **SCS** for **SB 142**, as amended, was declared perfected and ordered printed.

Senator Wasson moved that **SB 416** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Wasson offered **SS** for **SB 416**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 416

An Act to repeal sections 194.119 and 214.208, RSMo, and to enact in lieu thereof two new sections relating to the disposition of dead bodies.

Senator Wasson moved that **SS** for **SB 416** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SB 416** was declared perfected and ordered printed.

Senator Onder assumed the Chair.

Senator Dixon moved that **SB 199**, **SB 417** and **SB 42**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SBs 199, 417** and **42**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 199, 417 and 42

An Act to repeal section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, RSMo, and to enact in lieu thereof one new section relating to the use of deadly force by law enforcement officers, with an emergency clause for a certain section and an effective date for a certain section.

Was taken up.

Senator Dixon moved that **SCS** for **SBs 199, 417** and **42** be adopted.

Senator Dixon offered **SS** for **SCS** for **SBs 199, 417** and **42**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 199, 417 and 42

An Act to repeal section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 563.046 as enacted by senate bill no. 60, seventy-ninth general

assembly, first regular session, RSMo, and to enact in lieu thereof one new section relating to the use of deadly force by law enforcement officers, with an emergency clause for a certain section and an effective date for a certain section.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 199, 417 and 42, Page 1, In the Title, Lines 7-8, by striking the following: “the use of deadly force by law enforcement officers” and inserting in lieu thereof the following: “actions committed by government officials”; and

Further amend said bill, page 1, section A, line 6 of said page, by inserting after all of said line the following:

“537.570. Every person who, under color of any statute, ordinance, regulation, custom, or usage, of the state of Missouri or any political subdivision thereof subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Missouri Constitution and laws of this state, or interferes or attempts to interfere, by threats, intimidation or coercion, with the exercise or enjoyment by any other person of rights secured by section 9 or section 15 of article I of the Missouri Constitution, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress. The attorney general shall be authorized to bring a civil action on behalf of a party injured pursuant to this section.”; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted.

At the request of Senator Dixon, **SB 199**, **SB 417** and **SB 42**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 807**, entitled:

An Act to repeal section 570.010 as enacted by house bill no. 1888, ninety-first general assembly, second regular session, section 570.030 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 570.030 as enacted by senate bill no. 9, ninety-seventh general assembly, first regular session, and sections 217.360, 221.111, 452.315, 452.317, 456.950, 478.463, 513.430, 566.210, 566.211, 566.212, and 566.213, RSMo, and to enact in lieu thereof fourteen new sections relating to court proceedings, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 221**, entitled:

An Act to repeal sections 66.620, 72.150, and 72.401, RSMo, and to enact in lieu thereof four new

sections relating to political subdivisions.

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 87**; **SB 405**; **SS** for **SCS** for **SB 145**; **SS** for **SB 366**; **SB 488**; **SS** for **SCS** for **SB 517**; and **SB 377**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 862, regarding Mark Bryan Myers, II, Grain Valley, which was adopted.

Senator Wieland offered Senate Resolution No. 863, regarding Lucas James Kramer, Imperial, which was adopted.

Senator Hegeman offered Senate Resolution No. 864, regarding Michael Ryan Farlow, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 865, regarding Trieva Danielle James, Osborn, which was adopted.

Senator Hegeman offered Senate Resolution No. 866, regarding Lukas Erickson, Maryville, which was adopted.

Senator Sater offered Senate Resolution No. 867, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Carl Albert Sparks, Branson, which was adopted.

Senator Dempsey offered Senate Resolution No. 868, regarding the Old Stone Chapel, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 869, regarding the Northrop Grumman / Cutting Edge Optonics, Saint Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 870, regarding Patricia “Trish” Frank, which was adopted.

Senator Dempsey offered Senate Resolution No. 871, regarding the Baue Funeral Homes, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 872, regarding the Missouri Artists on Main, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 873, regarding the Bike Shop Café, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 874, regarding Ciara McDaniel, Saint Charles, which was adopted.

Senator Cunningham offered Senate Resolution No. 875, regarding Haolin “King” Ma, Chongqing, China, which was adopted.

COMMUNICATIONS

Senator Emery submitted the following:

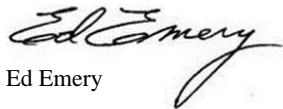
April 21, 2015

Adriane Crouse
Secretary of the Senate, Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Madame Secretary:

Pursuant to Senate Rule 45, I respectfully request House Bill 149 be removed from the Consent Calendar.

Sincerely,



Ed Emery

Also,

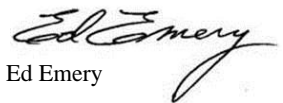
April 21, 2015

Adriane Crouse
Secretary of the Senate, Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Madame Secretary:

Pursuant to Senate Rule 45, I respectfully request Senate Committee Substitute for House Bills 522, 34, 133, 134, 810, 338, & 873 be removed from the Consent Calendar.

Sincerely,



Ed Emery

INTRODUCTIONS OF GUESTS

Senator Hegeman introduced to the Senate, Gary and Diann Jones, and their son, Matt, Stanberry.

Senator Onder introduced to the Senate, Martha, Hayley and Madison Clark, Lake St. Louis.

Senator Schaefer introduced to the Senate, Coaches Jill Nagel, Meagan Halphin, Katherine Harry, Kate Ruppe and Patty Thorne; and players Sophie Cunningham, Bri Ellis, Kanisha Green-McClain, Kelsey Knorr, Payton McCallister, Carly Offerdahl, Cierra Porter, Avery Schroeder and Madison Treece, Rock Bridge Lady Bruins Class 5 State Basketball Champions, Columbia.

The President introduced to the Senate, Vivek, Vishal and BalBir Singh Malik, and Dr. Naresh Khatri.

Senator Pearce introduced to the Senate, Brad Hogan, Richmond.

Senator Parson introduced to the Senate, Principal, Dr. Joel Cary; teacher, Cheryl Choate; and forty-six eighth grade students from Marion C. Early School, Morrisville.

Senator Dixon introduced to the Senate, students from Greenwood School, Springfield.

Senator Kehoe introduced to the Senate, Mayor Carrie Tergin, Jefferson City; Gaspare Calvaruso, his wife, Melissa, and sons, Vito, Vinnie and Nic, and his sister, Donna Meyer, St. Louis; and his cousin Marco.

Senator Kraus introduced to the Senate, former Representative Connie Cierpiot, Lee's Summit.

On behalf of Senator Kehoe, the President introduced to the Senate, Chris Beyer, Linn.

Senator Pearce introduced to the Senate, Heidi Ruhnke, Monique Agueros and Kimberly Watson, Warrensburg.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-SIXTH DAY—WEDNESDAY, APRIL 22, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1084
HCS for HB 796
HCS for HB 752
HCS for HB 734
HB 684-Koenig
HCS for HB 1002
HB 832-Brown (57)

HCS for HB 976
HB 1093-Houghton
HCS for HB 377
HB 691-Leara
HB 940-Jones
HCS for HB 807

THIRD READING OF SENATE BILLS

- | | |
|---|---|
| 1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight) | 8. SS for SCS for SB 354-Sater
(In Fiscal Oversight) |
| 2. SCS for SB 56-Munzlinger
(In Fiscal Oversight) | 9. SB 141-Parson (In Fiscal Oversight) |
| 3. SS for SB 201-Dixon
(In Fiscal Oversight) | 10. SB 352-Schaefer (In Fiscal Oversight) |
| 4. SB 203-Dixon (In Fiscal Oversight) | 11. SS for SB 314-Wallingford |
| 5. SS#2 for SB 386-Keaveny
(In Fiscal Oversight) | 12. SS for SCS for SB 87-Emery |
| 6. SB 200-Dixon (In Fiscal Oversight) | 13. SB 405-Hegeman |
| 7. SS for SB 476-Kehoe
(In Fiscal Oversight) | 14. SS for SCS for SB 145-Pearce |
| | 15. SS for SB 366-Schmitt |
| | 16. SB 488-Cunningham |
| | 17. SS for SCS for SB 517-Wasson |
| | 18. SB 377-Schatz |

SENATE BILLS FOR PERFECTION

- | | |
|--|----------------------------------|
| 1. SB 497-Hegeman | 12. SB 177-Munzlinger, with SCS |
| 2. SB 266-Schaefer, with SCS | 13. SB 442-Schaefer |
| 3. SB 360-Parson, with SCS | 14. SB 46-Holsman |
| 4. SB 313-Wallingford, with SCS | 15. SB 520-Kehoe, with SCS |
| 5. SBs 451, 307, 100 & 165-Dixon, with SCS | 16. SB 409-Wallingford, with SCS |
| 6. SB 432-Onder, with SCS | 17. SB 427-Sifton, with SCS |
| 7. SB 528-Sater | 18. SB 533-Riddle |
| 8. SB 455-Kehoe | 19. SB 286-Schaaf and Silvey |
| 9. SB 392-Wieland | 20. SB 267-Schaefer, with SCS |
| 10. SB 44-Nasheed, with SCS | 21. SB 220-Kehoe |
| 11. SB 471-Schaaf | |

HOUSE BILLS ON THIRD READING

- | | |
|---|--|
| 1. HB 92-Miller (Kehoe) | 8. HCS for HB 50, with SCS (Parson)
(In Fiscal Oversight) |
| 2. HB 514-Leara (Schmitt) | 9. HCS for HB 777 (Kraus) |
| 3. HB 458-Allen, with SCS (Schmitt) | 10. HB 556-Wood, with SCS (Wallingford)
(In Fiscal Oversight) |
| 4. HB 515-Leara (Keaveny) | 11. HB 836-Ross (Libla) |
| 5. HJR 1-Dugger (Kraus) (In Fiscal Oversight) | 12. HCS for HJR 34, with SCS |
| 6. HB 152-Haahr, with SCS (Dempsey) | |
| 7. HB 108-McCaherty (Dixon) | |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 37-Romine, with SCS & SA 1 (pending) | SBs 112, 212, 143 & 234-Dixon, with SCS |
| SB 53-Schaaf, with SS (pending) | SB 151-Sater |
| SB 55-Munzlinger | SB 159-Parson |
| SB 59-Dixon | SB 167-Schaaf, with SCS |
| SB 69-LeVota, with SCS | SBs 199, 417 & 42-Dixon, et al, with
SCS, SS for SCS & SA 1 (pending) |
| SB 80-Dixon, with SCS | SB 225-Romine, with SCS |
| SB 91-Dixon, with SCS | |

SB 227-Emery, with SS (pending)	SB 373-Libla
SB 232-Kehoe, with SCS (pending)	SB 400-Onder, with SS (pending)
SB 233-Kehoe, with SCS & SA 2 (pending)	SB 420-Schmitt
SB 268-Pearce, with SCS	SB 424-Pearce, with SA 1 (pending)
SB 299-Pearce	SB 433-Dixon and Dempsey
SB 302-Riddle, with SCS (pending)	SB 452-Schmitt, et al, with SA 1 & point of order (pending)
SB 304-Keaveny, with SCS	SB 463-Dixon
SB 305-Onder	SB 469-Munzlinger
SBs 331 & 21-Libla, with SCS & SS for SCS (pending)	SB 481-Onder, with SCS
SB 339-Munzlinger, with SS (pending)	SB 540-Libla, with SS (pending)
SB 358-Kehoe	SB 567-Chappelle-Nadal, et al
SB 371-Munzlinger	SJR 7-Richard and Wallingford
SB 372-Keaveny, with SCS (pending)	SJR 12-Onder, with SCS (pending)

CONSENT CALENDAR

House Bills

Reported 4/9

HB 125-Black (Romine)

Reported 4/15

HB 41-Wood, with SCS (Kehoe)	HB 874-Remole (Munzlinger)
HB 511-Mathews (Schatz)	HB 1116-Rehder (Libla)
HB 88-Walton Gray (Walsh)	HB 1119-Redmon
HB 326-Leara (Kehoe)	HB 979-Dugger (Pearce)
HB 361-Spencer (Riddle)	HB 1052-Miller (Wasson)
HB 400-Peters	HB 1098-Crawford, with SCS (Kraus)
HB 402-Phillips (Sater)	HB 391-Gosen (Parson)
HB 403-Phillips, with SCS (Sater)	HB 343-Lair, with SCS (Wieland)
HB 404-Phillips (Sater)	HB 947-Wiemann, with SCS (Wallingford)
HB 567-Dunn (Curls)	HB 179-Chipman (Brown)
HB 629-Leara (Silvey)	HB 269-Miller (Kehoe)
HB 778-Ruth	HB 650-Cornejo (Schaefer)
HB 859-Dunn (Curls)	HB 869-Solon (Schatz)
HB 861-Fitzwater (49) (Wasson)	

SENATE BILLS WITH HOUSE AMENDMENTS

SB 221-Schatz, with HCS

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1,
HA 2, as amended, HA 3, as
amended & HA 4

SB 104-Kraus, with HCS, as amended
SCS for SB 152-Wallingford, with HCS, as
amended

HCS for HB 2, with SCS (Schaefer)

HCS for HB 3, with SCS (Schaefer)

HCS for HB 4, with SCS (Schaefer)

HCS for HB 5, with SCS (Schaefer)

HCS for HB 6, with SCS (Schaefer)

HCS for HB 7, with SCS (Schaefer)

HCS for HB 8, with SCS (Schaefer)

HCS for HB 9, with SCS (Schaefer)

HCS for HB 10, with SCS (Schaefer)

HCS for HB 11, with SCS, as amended
(Schaefer)

HCS for HB 12, with SS for SCS (Schaefer)

HCS for HB 13, with SCS (Schaefer)

HCS for HB 42 with SCS, as amended
(Pearce)

RESOLUTIONS

Reported from Committee

SCR 13-Curls

SCRs 21, 19 & 23-Dixon, et al, with SCS

SCR 24-Holsman

SCR 35-Schmitt

SCR 36-Schmitt

HCR 34-Rowland (Cunningham)

HCR 38-Haahr, with SCS

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-SIXTH DAY—WEDNESDAY, APRIL 22, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“So then whenever we have the opportunity, let us work for the good of all...” (Galatians 6:10)

Almighty God, as we breathe in this moment of quiet with You may we also breathe the gift of the new in us. Lead us to cast aside our own desires so that we can do Your will. Bless us, we ask, that we might live lives that glorify You and Your faithfulness to us and by doing so we may be a blessing to others. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 876, regarding Allison Van Buren, Maryland Heights, which was adopted.

Senator Schmitt offered Senate Resolution No. 877, regarding Dr. Mark Pelikan, D.O., St. Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 878, regarding Robert George Haddenhorst, Ballwin, which was adopted.

Senator Schmitt offered Senate Resolution No. 879, regarding Harold J. Ross, Kirkwood, which was adopted.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 239**.

Bill ordered enrolled.

CONCURRENT RESOLUTIONS

Senator Holsman moved that **SCR 24** be taken up for adoption, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Romine assumed the Chair.

On motion of Senator Holsman, **SCR 24** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Holsman	Keaveny	Kehoe
Libla	Munzlinger	Nasheed	Parson	Pearce	Romine	Sater	Schaaf
Sifton	Silvey	Wallingford	Walsh	Wieland—21			

NAYS—Senators

Cunningham	Emery	Hegeman	Kraus	LeVota	Onder	Richard	Riddle
Schaefer	Schatz	Schmitt	Schupp	Wasson—13			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Dixon requested unanimous consent of the Senate to introduce a concurrent resolution, which request was granted.

Senators Dixon and Holsman offered the following concurrent resolution, entitled:

SENATE CONCURRENT RESOLUTION NO. 39

Relating to the reassignment of office space within the State Capitol.

Whereas, the Missouri State Capitol is the people's building; and

Whereas, the Constitution of the state of Missouri affirms the right of the people to petition their elected officials; and

Whereas, the members of the General Assembly have noted the continuing need for increased space in the State Capitol building for the citizens of this state, including those with physical disabilities, to exercise fully this right and meet with their elected representatives; and

Whereas, currently, a sizeable number of legislative offices are located in physical spaces that cannot be accessed by those citizens with physical disabilities; and

Whereas, statewide officers and other entities currently occupy physical space in the State Capitol building for job duties that could be performed in other state-owned buildings; and

Whereas, in order to insure accessibility to the State Capitol building for all citizens of this state and accommodate the needs of the public, it is necessary to reallocate, for use by the General Assembly, physical space currently utilized by certain statewide elected officers and other entities listed in this resolution; and

Whereas, section 8.010, RSMo, establishes the Board of Public Buildings and grants it general supervision and charge of the public property of the state at the seat of government; and

Whereas, subsection 1 of section 8.460, RSMo, states “The board of public buildings may build an office building in the City of Jefferson to house state offices which are presently located in rented quarters within the county of Cole, and they shall remove as many offices from the State Capitol building as the General Assembly deems necessary to provide adequate space for its members”;

Now Therefore Be It Resolved by the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, that pursuant to the provisions of section 8.460, RSMo, the Board of Public Buildings is instructed to reassign offices and other space within the State Capitol to the General Assembly in order to provide suitable and adequate space for members and staff of the General Assembly and accommodate participation in the legislative process by Missouri’s citizens; and

Be It Further Resolved that the offices and other space presently occupied or under the control of the following entities shall be reassigned to the Senate Administration Committee and the House Administration and Accounts Committee:

1. All statewide elected officials, except the Governor and the Lieutenant Governor;
2. The Office of Administration; and

Be It Further Resolved that the Board of Public Buildings shall ensure that these statewide elected officials and the Office of Administration shall be assigned at least the same amount of square footage of office space in another state-owned building in close proximity to the Capitol; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copies of this resolution for the Board of Public Buildings and the Commissioner of Administration.

Read 1st time.

SCR 21, SCR 19 and SCR 23, with SCS, entitled respectively:

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Was taken up for 3rd reading and final passage by Senator Dixon.

SCS for SCRs 21, 19 & 23, entitled:

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Was taken up.

Senator Dixon moved that **SCS for SCRs 21, 19 and 23** be adopted.

Senator Kraus assumed the Chair.

Senator Dixon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Concurrent Resolution Nos. 21, 19 and 23, as it appears on Page 704 of the Senate Journal for Wednesday, April 1, 2015, Line 3 of said journal page, by inserting after all of said line the following:

“Be It Further Resolved that the General Assembly adopts this application with the following understandings (as the term “understandings” is used within the context of “reservations, understandings, and declarations”):

(1) An application to Congress for an Article V convention confers no power on Congress other than to perform a ministerial function to “call” for a convention;

(2) This ministerial duty shall be performed by Congress only when Article V applications for substantially the same purpose are received from two-thirds of the legislatures of the several states;

(3) The power of Congress to “call” a convention solely consists of the authority to name a reasonable time and place for the initial meeting of the convention;

(4) Congress possesses no power whatsoever to name delegates to the convention, as this power remains exclusively within the authority of the legislatures of the several states;

(5) Congress possesses no power to set the number of delegates to be sent by any states;

(6) Congress possesses no power whatsoever to determine any rules for such convention;

(7) By definition, a Convention of States means that states vote on the basis of one state, one vote;

(8) A Convention of States convened pursuant to this application is limited to consideration of topics specified herein and no other;

(9) The General Assembly of Missouri may recall its delegates at any time for breach of their duties or violations of their instructions;

(10) Pursuant to the text of Article V, Congress may determine whether proposed amendments shall be ratified by the legislatures of the several states or by special state ratification conventions. The General Assembly of Missouri recommends that Congress specify its choice on ratification methodology contemporaneously with the call for the convention;

(11) Congress possesses no power whatsoever with regard to the Article V convention beyond the two powers acknowledged herein;

(12) Missouri places express reliance on prior legal and judicial determinations that Congress possesses no power under Article I relative to the Article V process, and that Congress must act only as expressly specified in Article V; and”.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SCS** for **SCRs 21, 19 and 23**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS** for **SCRs 21, 19 and 23**, as amended was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Holsman	Kehoe
Kraus	Libla	Munzlinger	Nasheed	Onder	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Sifton	Silvey	Wallingford
Wasson	Wieland—26						

NAYS—Senators

Chappelle-Nadal	Curls	Keaveny	LeVota	Schupp—5
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Absent—Senators

Schmitt	Walsh—2
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Absent with leave—Senator Parson—1

Vacancies—None

The President declared the concurrent resolution passed.

On motion of Senator Dixon, title to the concurrent resolution was agreed to.

Senator Dixon moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Kehoe submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **HB 629**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **HB 979**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS No. 3** for **SCS** for **SB 142** and **SS** for **SB 416**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 239**, begs leave to report that it has examined the same and finds that the bill has been duly

enrolled and that the printed copies furnished the Senators are correct.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 14**, begs leave to report that it has considered the same and recommends that the bill do pass.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SS** for **SB 239**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

REFERRALS

President Pro Tem Dempsey referred **SB 377** to the Committee on Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 618**, entitled:

An Act to repeal sections 194.119 and 214.208, RSMo, and to enact in lieu thereof two new sections relating to human remains.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 665**, entitled:

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to amino acid-based elemental formulas.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 714**, entitled:

An Act to repeal sections 70.210, 190.300, 190.307, 190.308, 190.328, 190.329, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof nineteen new sections relating to emergency communications service, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 117**, entitled:

An Act to repeal sections 144.010, 144.018, and 144.020, RSMo, and to enact in lieu thereof three new sections relating to sales tax.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 494**, entitled:

An Act to amend chapter 70, RSMo, by adding thereto one new section relating to the Missouri local government employees' retirement system.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1058**, entitled:

An Act to repeal section 644.145, RSMo, and to enact in lieu thereof one new section relating to the Missouri clean water law.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 385**, entitled:

An Act to repeal section 339.010, RSMo, and to enact in lieu thereof one new section relating to real estate transactions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 536**, entitled:

An Act to repeal section 68.120, RSMo, and to enact in lieu thereof one new section relating to the appointment of commissioners to the Mid-America port commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 630**, entitled:

An Act to repeal sections 86.1110 and 86.1500, RSMo, and to enact in lieu thereof two new sections relating to retirement benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 527**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health benefit plan open enrollment periods.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

BILLS DELIVERED TO THE GOVERNOR

SS for **SB 239**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HB 150**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 433** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Holsman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 433, Page 5, Section 1.600, Line 152, by striking “three” and inserting in lieu thereof “**six**”; and

Further amend said bill and section, page 9, line 297, by striking “three” and inserting in lieu thereof

“**six**”; and further amend lines 299-311, by striking all of said lines and inserting in lieu thereof the following:

“Section 2. Identity of Delegates. This Member State shall be represented at the Convention by the following delegates: (a) Two delegates appointed by the Speaker of the House of Representatives; (b) Two delegates appointed by the President Pro Tempore of the Senate; (c) One delegate appointed by the Minority Floor Leader of the House of Representatives; and (d) One delegate appointed by the Minority Floor Leader of the Senate. Said six delegates shall represent this Member State at the Convention as its sole and exclusive delegates. A majority vote of this delegation shall serve to decide any issue at the Convention on behalf of this Member State.”; and

Further amend said bill and section, page 12, line 395, by striking “three” and inserting in lieu thereof “**six**”.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 433, Page 3, Section 1.600, Lines 93-95, by striking all of said lines; and

Further amend said bill and section, page 4, lines 96-100, by striking all of said lines; and further amend line 101, by striking “6” and inserting in lieu thereof the following: “**5**”; and further amend line 116, by striking “7” and inserting in lieu thereof the following: “**6**”.

Senator Keaveny moved that the above amendment be adopted, which motion failed.

Senator Keaveny offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 433, Page 15, Section 1.600, Line 505, by striking “Dallas, Texas” and inserting in lieu thereof the following: “**Philadelphia, PA**”.

Senator Keaveny moved that the above amendment be adopted.

Senator Sifton offered **SSA 1** for **SA 3**, which was read:

**SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 3**

Amend Senate Bill No. 433, Page 15, Line 505, by striking “Dallas, Texas” and inserting “**St. Charles, Missouri**”.

Senator Sifton moved that the above substitute amendment be adopted, which motion failed.

SA 3 was again taken up.

Senator Keaveny moved that the above amendment be adopted, which motion failed.

Senator Sifton offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Bill No. 433, Page 16, Section 1.600, Line 568, by inserting after all of said line the following:

“Section 1. The general assembly of the state of Missouri hereby ratifies the Equal Rights

Amendment to the United States Constitution as the Amendment is set forth in this section. The Equal Rights Amendment to the United States Constitution states:

“Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.”; and
Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator Emery raised the point of order that **SA 4** is out of order as it goes beyond the scope of the bill.

Senator Pearce assumed the Chair.

The point of order was referred to the President Pro Tem, who ruled it well taken.

Having voted on the prevailing side, Senator Holsman moved that the vote by which **SA 1** was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators

Keaveny LeVota—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

SA 1 was again taken up.

Senator Holsman offered **SSA 1** for **SA 1**:

**SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1**

Amend Senate Bill No. 433, Page 9, Section 1.600, Lines 299-311, by striking all of said lines and inserting in lieu thereof the following:

“Section 2. Identity of Delegates. This Member State shall be represented at the Convention by the following delegates: (a) One delegate appointed by the Speaker of the House of Representatives; (b) One delegate appointed by the President Pro Tempore of the Senate; and (c) One delegate jointly

appointed by the Minority Floor Leaders of the House of Representatives and of the Senate. Said three delegates shall be sitting members of the general assembly and shall represent this Member State at the Convention as its sole and exclusive delegates. A majority vote of this delegation shall serve to decide any issue at the Convention on behalf of this Member State.”.

Senator Holsman moved that the above substitute amendment be adopted, which motion prevailed.

On motion of Senator Dixon, **SB 433**, as amended, was declared perfected and ordered printed.

PRIVILEGED MOTIONS

Senator Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 104**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 104

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 104, with House Amendments Nos. 1, 2 & 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 104, as amended;
2. That the Senate recede from its position on Senate Bill No. 104;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 104, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus

/s/ Jay Wasson

/s/ Dan Hegeman

Joseph Keaveny

Jill Schupp

FOR THE HOUSE:

/s/ Tony Dugger

/s/ Sue Entlicher

/s/ Justin Alferman

/s/ Pat Conway

Stacey Newman

Senator Kraus moved that the above conference committee report be adopted.

At the request of Senator Kraus, the above motion was withdrawn, which placed the bill back on the Calendar.

Senator Wallingford, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 152**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 152

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 152, with House Amendment Nos. 1 & 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 152, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 152;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 152 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Wayne Wallingford

/s/ Doug Libla

/s/ Gary Romine

Scott Sifton

Jason Holsman

FOR THE HOUSE:

/s/ Rocky Miller

/s/ Robert Ross

/s/ T.J. Berry

/s/ Clem Smith

/s/ Mary Nichols

Senator Wallingford moved that the above conference committee report be adopted.

At the request of Senator Wallingford, the above motion was withdrawn, which placed the bill back on the Calendar.

REFERRALS

President Pro Tem Dempsey referred **SCS** for **HCS** for **HJR 34** to the Committee on Governmental Accountability and Fiscal Oversight.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 880, regarding William Least Heat-Moon, which was adopted.

Senator Hegeman offered Senate Resolution No. 881, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. John Thomas Smith, DeKalb, which was adopted.

Senator Richard offered Senate Resolution No. 882, regarding Tyler Eads, which was adopted.

Senator Richard offered Senate Resolution No. 883, regarding Thad Beeler, Carthage, which was adopted.

Senator Richard offered Senate Resolution No. 884, regarding Chelsey Henry, which was adopted.

Senator Hegeman offered Senate Resolution No. 885, regarding the One Hundredth Birthday of Effie

Mae Goltra, Cameron, which was adopted.

Senator Romine offered Senate Resolution No. 886, regarding George Gary Olson, which was adopted.

Senator Romine offered Senate Resolution No. 887, regarding Gayle Lane, which was adopted.

Senator Romine offered Senate Resolution No. 888, regarding Sherri D. Connell, which was adopted.

Senator Holsman offered Senate Resolution No. 889, regarding Christine Betts, Kansas City, which was adopted.

Senator Holsman offered Senate Resolution No. 890, regarding Diane Mutti Burke, Kansas City, which was adopted.

Senator Holsman offered Senate Resolution No. 891, regarding Thomas M. Bloch, Kansas City, which was adopted.

Senator Pearce offered Senate Resolution No. 892, regarding Levi Banner, which was adopted.

Senator Pearce offered Senate Resolution No. 893, regarding Bridget M. Cavuoti, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 894, regarding Clinton Smith, Warrensburg, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Wallingford introduced to the Senate, ninth grade students from St. Vincent DePaul, Perryville.

Senator Wallingford introduced to the Senate, Dan McConchie, Chicago, Illinois.

Senator Schupp introduced to the Senate, Trudi and Prevost Foushee, St. Louis.

Senator Onder introduced to the Senate, Paul Lambi, Wentzville; and Hong Gao, China.

Senator Wallingford introduced to the Senate, Mark and Donna Boardmen, Butch and Eileen Meier and Larry and Patty Miller, Jackson; and Ben Egger, Mexico.

Senator Wasson introduced to the Senate, the Physician of the Day, Dr. Bill Reynolds, Nixa.

Senator Schmitt introduced to the Senate, Julie Backer, and her son, Owen; and Owen was made an honorary page.

Senator Dempsey introduced to the Senate, teachers Joann Hynes, Kristine Bohn and Lauren Lammert; and students from the Academy of the Sacred Heart School, St. Charles.

On behalf of Senator Romine, the President introduced to the Senate, Rachel Rhodes and Remington Ross, Farmington.

Senator Hegeman introduced to the Senate, students from Rock Port Elementary School.

Senator Pearce introduced to the Senate, teachers Miss Beile and Mr. Palmer; and fourth grade students from Martin Warren Elementary School, Warrensburg.

Senator Walsh introduced to the Senate, teacher Theresa Kremer, parents, and twenty-six seventh grade students from St. Angela Merici Catholic School, Florrissant; and Kevin Burke, Claudia Walch, Garrett Wilcox and Courtney Williams were made honorary pages.

Senator Curls introduced to the Senate, representatives of Restart, Inc., Kansas City.

Senator Hegeman introduced to the Senate, Phil Rogers, Andrew County.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-SEVENTH DAY—THURSDAY, APRIL 23, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1084
HCS for HB 796
HCS for HB 752
HCS for HB 734
HB 684-Koenig
HCS for HB 1002
HB 832-Brown (57)
HCS for HB 976
HB 1093-Houghton
HCS for HB 377
HB 691-Leara
HB 940-Jones

HCS for HB 807
HCS for HB 618
HCS for HB 665
HCS for HB 714
HCS for HB 117
HB 494-Leara
HCS for HB 1058
HCS for HB 385
HB 536-Redmon
HB 630-Leara
HCS for HB 527

THIRD READING OF SENATE BILLS

- | | |
|---|---|
| 1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight) | 4. SB 203-Dixon (In Fiscal Oversight) |
| 2. SCS for SB 56-Munzlinger
(In Fiscal Oversight) | 5. SS#2 for SB 386-Keaveny
(In Fiscal Oversight) |
| 3. SS for SB 201-Dixon
(In Fiscal Oversight) | 6. SB 200-Dixon (In Fiscal Oversight) |
| | 7. SS for SB 476-Kehoe
(In Fiscal Oversight) |

- | | |
|---|---|
| 8. SS for SCS for SB 354-Sater
(In Fiscal Oversight) | 14. SS for SCS for SB 145-Pearce |
| 9. SB 141-Parson (In Fiscal Oversight) | 15. SS for SB 366-Schmitt |
| 10. SB 352-Schaefer (In Fiscal Oversight) | 16. SB 488-Cunningham |
| 11. SS for SB 314-Wallingford | 17. SS for SCS for SB 517-Wasson |
| 12. SS for SCS for SB 87-Emery | 18. SB 377-Schatz (In Fiscal Oversight) |
| 13. SB 405-Hegeman | 19. SS#3 for SCS for SB 142-Romine |
| | 20. SS for SB 416-Wasson |

SENATE BILLS FOR PERFECTION

- | | |
|--|----------------------------------|
| 1. SB 497-Hegeman | 12. SB 177-Munzlinger, with SCS |
| 2. SB 266-Schaefer, with SCS | 13. SB 442-Schaefer |
| 3. SB 360-Parson, with SCS | 14. SB 46-Holsman |
| 4. SB 313-Wallingford, with SCS | 15. SB 520-Kehoe, with SCS |
| 5. SBs 451, 307, 100 & 165-Dixon, with SCS | 16. SB 409-Wallingford, with SCS |
| 6. SB 432-Onder, with SCS | 17. SB 427-Sifton, with SCS |
| 7. SB 528-Sater | 18. SB 533-Riddle |
| 8. SB 455-Kehoe | 19. SB 286-Schaaf and Silvey |
| 9. SB 392-Wieland | 20. SB 267-Schaefer, with SCS |
| 10. SB 44-Nasheed, with SCS | 21. SB 220-Kehoe |
| 11. SB 471-Schaaf | |

HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| 1. HB 92-Miller (Kehoe) | 8. HCS for HB 50, with SCS (Parson)
(In Fiscal Oversight) |
| 2. HB 514-Leara (Schmitt)
(In Fiscal Oversight) | 9. HCS for HB 777 (Kraus) |
| 3. HB 458-Allen, with SCS (Schmitt) | 10. HB 556-Wood, with SCS (Riddle)
(In Fiscal Oversight) |
| 4. HB 515-Leara (Keaveny) | 11. HB 836-Ross (Libla) |
| 5. HJR 1-Dugger (Kraus)
(In Fiscal Oversight) | 12. HCS for HJR 34, with SCS (Schmitt)
(In Fiscal Oversight) |
| 6. HB 152-Haahr, with SCS (Onder) | 13. HCS for HB 14 (Schaefer) |
| 7. HB 108-McCaherty (Dixon) | |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

SB 37-Romine, with SCS & SA 1 (pending)	SB 305-Onder
SB 53-Schaaf, with SS (pending)	SBs 331 & 21-Libla, with SCS & SS for SCS (pending)
SB 55-Munzlinger	SB 339-Munzlinger, with SS (pending)
SB 59-Dixon	SB 358-Kehoe
SB 69-LeVota, with SCS	SB 371-Munzlinger
SB 80-Dixon, with SCS	SB 372-Keaveny, with SCS (pending)
SB 91-Dixon, with SCS	SB 373-Libla
SBs 112, 212, 143 & 234-Dixon, with SCS	SB 400-Onder, with SS (pending)
SB 151-Sater	SB 420-Schmitt
SB 159-Parson	SB 424-Pearce, with SA 1 (pending)
SB 167-Schaaf, with SCS	SB 452-Schmitt, et al, with SA 1 & point of order (pending)
SBs 199, 417 & 42-Dixon, et al, with SCS, SS for SCS & SA 1 (pending)	SB 463-Dixon
SB 225-Romine, with SCS	SB 469-Munzlinger
SB 227-Emery, with SS (pending)	SB 481-Onder, with SCS
SB 232-Kehoe, with SCS (pending)	SB 540-Libla, with SS (pending)
SB 233-Kehoe, with SCS & SA 2 (pending)	SB 567-Chappelle-Nadal, et al
SB 268-Pearce, with SCS	SJR 7-Richard and Wallingford
SB 299-Pearce	SJR 12-Onder, with SCS (pending)
SB 302-Riddle, with SCS (pending)	
SB 304-Keaveny, with SCS	

CONSENT CALENDAR

House Bills

Reported 4/9

HB 125-Black (Romine)

Reported 4/15

HB 41-Wood, with SCS (Kehoe)	HB 778-Ruth (Romine)
HB 511-Mathews (Schatz)	HB 859-Dunn (Curls)
HB 88-Walton Gray (Walsh)	HB 861-Fitzwater (49) (Wasson)
HB 326-Leara (Kehoe)	HB 874-Remole (Munzlinger)
HB 361-Spencer (Riddle)	HB 1116-Rehder (Libla)
HB 400-Peters (Walsh)	HB 1119-Redmon (Hegeman)
HB 402-Phillips (Sater)	HB 1052-Miller (Wasson)
HB 403-Phillips, with SCS (Sater)	HB 1098-Crawford, with SCS (Kraus)
HB 404-Phillips (Sater)	HB 391-Gosen (Parson)
HB 567-Dunn (Curls)	HB 343-Lair, with SCS (Wieland)

HB 947-Wiemann, with SCS (Wallingford)
HB 179-Chipman (Brown)
HB 269-Miller (Kehoe)

HB 650-Cornejo (Schaefer)
HB 869-Solon (Schatz)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 221-Schatz, with HCS

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1,
HA 2, as amended, HA 3, as
amended & HA 4
SB 104-Kraus, with HCS, as amended
SCS for SB 152-Wallingford, with HCS, as
amended
HCS for HB 2, with SCS (Schaefer)
HCS for HB 3, with SCS (Schaefer)
HCS for HB 4, with SCS (Schaefer)
HCS for HB 5, with SCS (Schaefer)
HCS for HB 6, with SCS (Schaefer)

HCS for HB 7, with SCS (Schaefer)
HCS for HB 8, with SCS (Schaefer)
HCS for HB 9, with SCS (Schaefer)
HCS for HB 10, with SCS (Schaefer)
HCS for HB 11, with SCS, as amended
(Schaefer)
HCS for HB 12, with SS for SCS (Schaefer)
HCS for HB 13, with SCS (Schaefer)
HCS for HB 42 with SCS, as amended
(Pearce)

RESOLUTIONS

Reported from Committee

SCR 13-Curls
SCR 35-Schmitt
SCR 36-Schmitt

HCR 34-Rowland (Cunningham)
HCR 38-Haahr, with SCS (Dempsey)

To be Referred

SCR 39-Dixon and Holsman

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-SEVENTH DAY—THURSDAY, APRIL 23, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“O Lord, our Sovereign, how majestic is your name in all the earth!” (Psalm 8:1)

Holy Father, You surround us this and every day with reminders of Your loving care. Your grace provides us with talents to use our time efficiently and opportunities to balance them between work and play, stress and relaxation, love of work and love of family. And, as we complete today’s tasks bless us and “watch over our going out and coming in” uniting us with those we love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senators Schupp and Sifton offered Senate Resolution No. 895, regarding Jacob Reitingger, which was

adopted.

Senator Riddle offered Senate Resolution No. 896, regarding Brooke Kelley, New Bloomfield, which was adopted.

Senator Riddle offered Senate Resolution No. 897, regarding David Neuendorf, Mexico, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Craig M. Lucas, as a member of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects;

Also,

Frank James Logan Sr., Democrat, as a member of the Lincoln University Board of Curators; and

Trudi M. Foushee, Democrat, as a member of the Saint Louis County Board of Election Commissioners.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SS** for **SB 476**; **SB 141**; **SS** for **SCS** for **SB 354**; and **SS No. 2** for **SB 386**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 433**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 5**, entitled:

An Act to repeal sections 302.341 and 479.020, RSMo, and to enact in lieu thereof eight new sections

relating to local government.

With House Amendment Nos. 1, 2 and 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 5, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant’s driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver’s license suspended solely under the provisions of this section.

2. [If any city, town, village, or county receives more than thirty percent of its annual general operating revenue from fines and court costs for traffic violations, including amended charges from any traffic violation, occurring within the city, town, village, or county, all revenues from such violations in excess of thirty percent of the annual general operating revenue of the city, town, village, or county shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue. If any city, town, village, or county disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, village, or county may submit to an annual audit by the state auditor under the authority of Article IV, Section 13 of the Missouri Constitution. An accounting of the percent of annual general operating revenue from fines and court costs for traffic violations, including amended charges from any charged traffic violation, occurring within the city, town, village, or county and charged in the municipal court of that city, town, village, or county shall be included in the comprehensive annual financial report submitted to the state auditor by the city, town, village, or county under section 105.145. Any city, town, village, or county which fails to make an accurate or timely report, or to send excess revenues from such violations to the director of the department of revenue by the date on which the report is due to the state auditor shall suffer an immediate loss of jurisdiction of the municipal court of said city,

town, village, or county on all traffic-related charges until all requirements of this section are satisfied. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.] **The provisions of subsection 1 of this section shall not apply to minor traffic offenses as defined in section 479.350.”**; and

Further amend said substitute, Pages 1-2, Section 479.020, Lines 1-40, by removing all of said section from the substitute; and

Further amend said substitute, Page 2, Section 479.155, Line 8, by removing all of said line and inserting in lieu thereof the following:

“of the supreme court and shall complete”; and

Further amend said substitute, Page 3, Section 479.350, Line 4, by inserting after the word **“fines,”** the following:

“court costs,”; and

Further amend said substitute, said page, said section, Line 12, by removing the word **“fees”** and inserting in lieu thereof the following:

“costs, fees, or surcharges”; and

Further amend said substitute, said page, said section, Line 14, by inserting immediately after the word **“a”** the words **“municipal or county ordinance”**; and

Further amend said substitute, Page 3, Section 479.353, Line 10, by inserting after said line the following:

“479.356. If a person fails to pay court costs, fines, fees, or other sums ordered by a municipal court, to be paid to the state or political subdivision, a municipal court may report any such delinquencies in excess of twenty-five dollars to the director of the department of revenue if submitted through the fine collection center administered by the office of state court administrator and request that the department seek a setoff of an income tax refund as provided by sections 143.782 to 143.788. The department shall promulgate rules necessary to effectuate the purpose of the offset program.”; and

Further amend said substitute, Page 4, Section 479.359, Line 17, by removing the word **“or”** in the first instance and inserting in lieu thereof the word **“and”**; and

Further amend said substitute, said page, said section, Line 24, by removing all of said line and inserting in lieu thereof the following:

“(1) Defendants in custody pursuant to an initial arrest warrant issued by a municipal court have an”; and

Further amend said substitute, said page, said section, Lines 28-30, by removing all of said line and

inserting in lieu thereof the following:

“(2) Defendants in municipal custody shall not be held more than twenty-four hours without a warrant after an arrest;”; and

Further amend said substitute, said page, said section, Lines 35-37, by removing all of said lines and inserting in lieu thereof the following:

“(5) The municipal court only assesses fines and costs as authorized by law;”; and

Further amend said substitute, said page, said section, by renumbering the subsections accordingly; and

Further amend said substitute, Page 5, Section 479.362, Lines 1-4, by removing said lines and inserting in lieu thereof the following:

“479.362. 1. The auditor shall transmit to the director of the department of revenue whether or not the addendum required by section 479.359 was timely filed. The director of the department of revenue shall review the information filed in the addendum as required by section 479.359 and shall determine”; and

Further amend said substitute, said page, said section, Line 10, by removing the word **“auditor”** and inserting in lieu thereof the following:

“director of the department of revenue”; and

Further amend said substitute, Page 6, said section, Lines 15-16, by removing all of said lines and inserting in lieu thereof the following:

“the director of the department of revenue, the director shall determine whether the county, city, town, or village failed to pay any excess amount required. If so, the director shall send the notice of failure to pay”; and

Further amend said substitute, said page, said section, Line 19, by removing the word **“auditor”** and inserting in lieu thereof the following:

“director of the department of revenue”; and

Further amend said substitute, said page, said section, Line 21, by deleting the words **“state auditor”** and inserting in lieu thereof the words **“director of the department of revenue”**; and

Further amend said substitute, said page, said section, Line 23, by removing the phrase **“and the state auditor”**; and

Further amend said substitute, said page, said section, Line 28, by removing the phrase **“state auditor’s”** and insert in lieu thereof the following:

“director of the department of revenue’s”; and

Further amend said substitute, said page, said section, Lines 33-35, by removing all of said lines and inserting in lieu thereof the following:

“5. If any county, city, town, or village has failed to make an accurate or timely report under section 105.145 or send excess revenue to the director of the department of revenue and the sixty-day period described in subsection 1 of this section has passed or there has been a final adjudication of

the case, whichever is later, the county, city, town, or village shall have five business days to become compliant with the provisions of this section after which time any matters pending in the municipal court shall”; and

Further amend said substitute, said page, said section, Line 37, by inserting immediately after the word “**court**” the following:

“until such county, city, town, or village is compliant with the provisions of this section”; and

Further amend said substitute, said page, said section, Line 38, by removing all of said line and inserting in lieu thereof the following:

“matter reassigned to other divisions within the court shall be considered excess revenue. The excess revenue shall be paid to the director of the department of revenue”; and

Further amend said substitute, said page, said section, Line 40, by inserting immediately after “**revenue**” the following:

“If the noncompliant county, city, town, or village thereafter makes an accurate report under section 105.145 or sends excess revenue to the director of the department of revenue, the municipal court shall be eligible to hear cases initiated on the day after the director of revenue receives the report or excess revenue. All fines, bond forfeitures, and court costs generated from these cases shall be subject to section 479.359.”; and

Further amend said substitute, said page, said section, Line 40, by inserting immediately after said line the following:

“6. The state auditor shall have the authority to audit any addendum and any supporting documents submitted to the department of revenue by any county, city, town, or village.”; and

Further amend said substitute, Page 6, Section 479.368, Lines 1-2, by deleting said lines and inserting in lieu thereof the following:

“479.368. 1. Except for county sales taxes deposited in the “County Sales Tax Trust Fund” as defined in section 66.620, any county, city, town, or village failing to timely file the required addendum and remit the required excess revenues, if applicable, after the time period provided by the notice by the auditor or any final”; and

Further amend said bill, page, and section, Line 9, by inserting immediately after said line the following:

“2. Any city, town, village, or county that participates in the distribution of local sales tax in sections 66.600 to 66.630 and fails to timely file the required addendum and remit the required excess revenues, if applicable, as required by section 479.359 shall not receive any amount of monies to which said city, town, village, or county would otherwise be entitled under 66.600 to 66.630. The director of revenue shall hold any disbursements to the noncompliant city, town, village, or county authorized under sections 66.600 to 66.630. No disbursements to the noncompliant city, town, village, or county shall be permitted until a determination is made by the director of revenue that the noncompliant city, town, village, or county has come into compliance with the provisions of section 479.359. If a noncompliant city, town, village, or county becomes disincorporated, any monies shall be distributed to the schools of the county in the same manner that proceeds of all penalties, forfeitures, and fines

collected for any breach of the penal laws of the state are distributed.” ; and

Further amend said bill and section, Page 7, Line 10, by deleting the number “**2.**” and inserting in lieu thereof the number “**3.**”; and

Further amend said substitute, Pages 7-9, Section 302.341, Lines 1-59, by removing all of said section from the substitute; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 5, Page 7, Section 479.372, Line 8, by inserting immediately after said line the following:

“479.375. If any provision of sections 479.020, 479.155, 479.350, 479.353, 479.359, 479.362, or 479.368 or their application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of sections 479.020, 479.155, 479.350, 479.353, 479.359, 479.362, or 479.368 which can be given effect without the invalid provision or application, and to this end the provisions of sections 479.020, 479.155, 479.350, 479.353, 479.359, 479.362, or 479.368 are severable.”;
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 5, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“67.287. 1. As used in this section, the following terms mean:

(1) “Minimum standards”, adequate and material provision of each of the items listed in subsection 2 of this section;

(2) “Municipality”, any city, town, or village located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(3) “Peace officer”, any peace officer as defined in section 590.010 who is licensed under chapter 590.

2. Every municipality shall meet minimum standards within three years of the effective date of this section by providing the following municipal services, financial services, and reports:

(1) A balanced annual budget listing anticipated revenues and expenditures, as required in section 67.010;

(2) Creation, funding, and regular implementation of a capital improvements plan to identify and prioritize capital expenditures and to ensure adequate maintenance of public roads and streets, parks, and other public facilities owned by the municipality including, but not limited to, buildings and equipment valued at one thousand dollars or more;

(3) An annual audit by a certified public accountant of the finances of the municipality that includes a report on the internal controls utilized by the municipality and prepared by a qualified

financial consultant that are implemented to prevent misuse of public funds. The municipality also shall include its current procedures that show compliance with or reasonable exceptions to the recommended internal controls;

(4) A cash management and accounting system that accounts for all revenues and expenditures;

(5) Adequate levels of insurance to minimize risk to include:

(a) General liability coverage;

(b) If applicable, liability coverage with endorsements to cover emergency medical personnel and paramedics;

(c) If applicable, police professional liability coverage;

(d) Workers compensation benefits for injured employees under the provisions of chapter 287; and

(e) Bonds for local officials as required by section 77.390, 79.260, 80.250, or local charter;

(6) Access to a complete set of ordinances adopted by the governing body available to the public within ten business days of a written request. An online version of the regulations or code shall satisfy this requirement for those ordinances that are codified;

(7) A police department accredited or certified by the Commission on Accreditation for Law Enforcement Agencies or the Missouri Police Chiefs Association or a contract for police service with a police department accredited or certified by such entities;

(8) Written policies regarding the safe operation of emergency vehicles, including a policy on police pursuit;

(9) Written policies regarding the use of force by peace officers;

(10) Written general orders for a municipal police department unless contracting with another municipality or county for police services;

(11) Written policies for collecting and reporting all crime and police stop data for the municipality as required by law. Such policies shall be forwarded to the attorney general's office;

(12) Construction code review, directly or by contract with a public or private agency;

(13) Refuse and recycling collection that complies with applicable county codes; and

(14) Information published annually on the website of the municipality indicating how the municipality met the standards in this subsection. If there is no municipal website, the information shall be submitted to the county for publication on its website, if it has a website.

3. If any person has belief or knowledge that any municipality has failed to ensure that the standards listed in subsection 2 of this section are regularly provided and are likely to continue to be provided, he or she may make an affidavit before any person authorized to administer oaths setting forth the facts alleging the failure to meet the required standards and file the affidavit with the attorney general. It shall be the duty of the attorney general, if, in his or her opinion, the facts stated in the affidavit justify, to declare whether the municipality is operating below minimum standards,

and if it is, the municipality shall have sixty days to rectify the deficiencies in services noted by the attorney general. If after sixty days the municipality is still deemed by the attorney general to have failed to rectify sufficient minimum standards to be in compliance with those specified by subsection 2 of this section, the attorney general may file suit in the circuit court of the county. If the court finds that the municipality is not in compliance with the minimum standards specified in subsection 2 of this section, the circuit court of the county shall order the following remedies in the order listed:

(1) Appointment of an administrative authority for the municipality including, but not limited to, another political subdivision, the state, or a qualified private party to administer all revenues under the name of the municipality or its agents and all funds collected on behalf of the municipality. If the court orders an administrative authority to administer the revenues under this subdivision, it shall send an order to the director of revenue or other party charged with distributing tax revenue, as identified by the attorney general, to distribute such revenues and funds to the administrative authority who shall use such revenues and existing funds to provide the services required under a plan approved by the court. The court shall enter an order directing all financial and other institutions holding funds of the municipality, as identified by the attorney general, to honor the directives of the administrative authority. Any salaries and benefits paid to the members of the governing body shall cease from the time of the appointment of the administrative authority until such time as the court determines that the governing body is entitled to resume receipt of income and enters an order to that effect;

(2) Remove from office all elected officials of the municipality the court finds are responsible for the municipality not coming into compliance with the minimum standards specified in subsection 2 of this section within ninety days from the date the court enters its order finding the municipality is not in compliance with the minimum standards specified in subsection 2 of this section. The court shall appoint new officials to fill the remainder of the terms of those removed from office in a manner to create a logical transition;

(3) If the court finds that the minimum standards specified in subsection 2 still are not established at the end of ninety days from the time of the appointment of new officials, the court may either enter an order disincorporating the municipality or order placed on the ballot the question of whether to disincorporate the municipality as provided in subsection 2 of section 479.368. The court also shall place the question of disincorporation on the ballot as provided by subsection 2 of section 479.368 if at least twenty percent of the registered voters residing in the subject municipality or forty percent of the number of voters who voted in the last municipal election, whichever is lesser, submit a petition to the court while the matter is pending, seeking disincorporation. If electors vote to disincorporate, the court shall determine the date upon which the disincorporation shall occur, taking into consideration a logical transition.

4. The court shall have ongoing jurisdiction to enforce its orders and carry out the remedies in subsection 3 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

CONCURRENT RESOLUTIONS

Senator Curls moved that **SCR 13** be taken up for adoption, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Curls, **SCR 13** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Schmitt moved that **SCR 35** be taken up for adoption, which motion prevailed.

On motion of Senator Schmitt, **SCR 35** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Schmitt moved that **SCR 36** be taken up for adoption, which motion prevailed.

On motion of Senator Schmitt, **SCR 36** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf

Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—33							

NAYS—Senator Schupp—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Dempsey moved that **HCR 38**, with **SCS**, be taken up for adoption, which motion prevailed.
SCS for **HCR 38** was taken up.

Senator Dempsey moved that **SCS** for **HCR 38** be adopted, which motion prevailed.

On motion of Senator Dempsey, **SCS** for **HCR 38** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

HOUSE BILLS ON THIRD READING

HCS for **HB 14**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2015.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **HCS** for **HB 14** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh

Wasson—33

NAYS—Senator Wieland—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

THIRD READING OF SENATE BILLS

SS No. 2 for **SB 386**, introduced by Senator Keaveny, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE BILL NO. 386

An Act to repeal sections 192.945, 195.207, and 261.265, RSMo, and to enact in lieu thereof four new sections relating to hemp extract.

Was taken up.

On motion of Senator Keaveny, **SS No. 2** for **SB 386** was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Parson
Riddle	Romine	Schaaf	Schaefer	Schmitt	Schupp	Sifton	Silvey
Walsh	Wasson—26						

NAYS—Senators

Brown	Onder	Pearce	Richard	Sater	Schatz	Wallingford	Wieland—8
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SB 476**, introduced by Senator Kehoe, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 476

An Act to repeal sections 259.010, 259.020, 259.030, 259.050, 259.070, 259.080, 259.100, 259.190, 259.210, 260.235, 260.395, 260.500, 444.600, 444.773, 621.250, 640.115, 643.075, 643.078, 644.011, 644.016, 644.051, and 644.056, RSMo, and to enact in lieu thereof twenty-four new sections relating to the department of natural resources.

Was taken up.

On motion of Senator Kehoe, **SS** for **SB 476** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 354**, introduced by Senator Sater, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 354

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to amino acid-based elemental formulas.

Was taken up.

On motion of Senator Sater, **SS** for **SCS** for **SB 354** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 141, introduced by Senator Parson, entitled:

An Act to repeal section 595.030, RSMo, and to enact in lieu thereof one new section relating to the crime victims' compensation program.

Was taken up.

On motion of Senator Parson, **SB 141** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for SB 314, introduced by Senator Wallingford, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 314

An Act to amend chapter 137, RSMo, by adding thereto one new section relating to property taxation of short term rental merchandise.

Was taken up.

On motion of Senator Wallingford, **SS for SB 314** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 87, introduced by Senator Emery, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 87

An Act to repeal section 29.230, RSMo, and to enact in lieu thereof one new section relating to audits of political subdivisions.

Was taken up.

Senator Kraus assumed the Chair.

On motion of Senator Emery, **SS for SCS for SB 87** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Emery, title to the bill was agreed to.

Senator Emery moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 405, introduced by Senator Hegeman, entitled:

An Act to repeal section 52.260, RSMo, and to enact in lieu thereof one new section relating to fees collected by the county collector.

Was taken up.

On motion of Senator Hegeman, **SB 405** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	LeVota	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schatz	Schmitt
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators

Kraus	Schaefer—2
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Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 145, introduced by Senator Pearce, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 145

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the treatment of eating disorders.

Was taken up.

On motion of Senator Pearce, **SS for SCS for SB 145** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for SB 366, introduced by Senator Schmitt, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 366

An Act to repeal section 166.435, RSMo, and to enact in lieu thereof two new sections relating to the Missouri higher education savings program, with a contingent effective date.

Was taken up.

On motion of Senator Schmitt, **SS for SB 366** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh

Wasson
Wieland—34

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 488, introduced by Senator Cunningham, entitled:

An Act to repeal section 443.719, RSMo, and to enact in lieu thereof one new section relating to mortgage loan originators.

Was taken up.

On motion of Senator Cunningham, **SB 488** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senators

Nasheed Silvey—2

Absent with leave—Senators —None

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 517, introduced by Senator Wasson, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 517

An Act to repeal sections 193.015 and 193.145, RSMo, and to enact in lieu thereof two new sections

relating to death certificates.

Was taken up.

On motion of Senator Wasson, **SS** for **SCS** for **SB 517** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS No. 3 for **SCS** for **SB 142**, introduced by Senator Romine, entitled:

SENATE SUBSTITUTE NO. 3 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 142

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to implementation impact reports.

Was taken up.

On motion of Senator Romine, **SS No. 3** for **SCS** for **SB 142** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh

Wasson Wieland—34

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS for **SB 416**, introduced by Senator Wasson, entitled:

**SENATE SUBSTITUTE FOR
SENATE BILL NO. 416**

An Act to repeal sections 194.119 and 214.208, RSMo, and to enact in lieu thereof two new sections relating to the disposition of dead bodies.

Was taken up.

On motion of Senator Wasson, **SS** for **SB 416** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **SCS** for **HCS** for **HB 1**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 3** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 3**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 4** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 4**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 5** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 5**.

PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Thomas Flanigan

/s/ Scott Fitzpatrick

/s/ Kurt Bahr

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ David Pearce

/s/ Ryan Silvey

/s/ Genise Montecillo

/s/ S. Kiki Curls

/s/ Gail McCann Beatty

/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators

LeVota Schupp—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 2**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of aerial travel within the state of Missouri.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators

LeVota Schupp—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 3** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 3

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 3.
2. That the House recede from its position on House Committee Substitute for House Bill No. 3.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Thomas Flanigan
/s/ Scott Fitzpatrick
/s/ Donna Lichtenegger
Stephen Webber
/s/ Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ David Pearce
/s/ Dan Brown
/s/ S. Kiki Curls
Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Silvey	Wallingford	Wasson	Wieland—28				

NAYS—Senators

Holsman	Keaveny	LeVota	Schupp	Sifton	Walsh—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 3**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 3

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be expended at public institutions of higher education that offer a tuition rate to any student with an unlawful immigration status in the United States that is less than the tuition rate charged to international students, and further provided that no scholarship funds shall be expended on behalf of students with an unlawful immigration status in the United States.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Kehoe
Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—27					

NAYS—Senators

Chappelle-Nadal	Holsman	Keaveny	LeVota	Schupp	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 6** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 6**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 7** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 7**.

PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 4** moved that the following conference committee report be taken up, which motion prevailed.

Senator Kehoe assumed the Chair.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 4

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 4.
2. That the House recede from its position on House Committee Substitute for House Bill No. 4.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 4, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Thomas Flanigan

Scott Fitzpatrick

/s/ Lincoln Hough

/s/ Jeremy LaFaver

/s/ Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Dan Brown

/s/ Ryan Silvey

/s/ S. Kiki Curls

/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 4**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 4

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds shall be used to pay the costs of conferences or meetings held by the American Association of Motor Vehicle Administrators (AAMVA), travel to attend such conferences or meetings, participation with boards, committees, or administration of AAMVA, or for the collection or retention of individual data by AAMVA that violates any state law.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 5** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 5

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 5.
2. That the House recede from its position on House Committee Substitute for House Bill No. 5.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 5, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Thomas Flanigan
/s/ Scott Fitzpatrick
/s/ Robert Ross
Jeremy Lafaver
/s/ Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer
Dan Brown
Ryan Silvey
/s/ S. Kiki Curls
/s/ Gina Walsh

Senator Schmitt assumed the Chair.

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Keaveny
Kehoe	Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Sifton	Wallingford	Walsh
Wasson	Wieland—26						

NAYS—Senators

Emery	Holsman	Kraus	LeVota	Nasheed	Schaaf	Schupp	Silvey—8
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 5**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 5

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Keaveny
Kehoe	Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Sifton	Wallingford	Walsh
Wasson	Wieland—26						

NAYS—Senators

Emery	Holsman	Kraus	LeVota	Nasheed	Schaaf	Schupp	Silvey—8
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 6** moved that the following conference committee report be taken up, which motion prevailed.

Senator Schmitt assumed the Chair.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 6

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for

House Bill No. 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 6.
2. That the House recede from its position on House Committee Substitute for House Bill No. 6.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Thomas Flanigan

/s/ Scott Fitzpatrick

/s/ Craig Redmon

Kimberly Gardner

/s/ Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Michael L. Parson

/s/ Dan Brown

/s/ S. Kiki Curls

/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 6**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 6

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period

beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 7** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 7

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 7.
2. That the House recede from its position on House Committee Substitute for House Bill No. 7.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Thomas Flanigan

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Scott Fitzpatrick

/s/ Michael Kehoe

/s/ Lincoln Hough

/s/ Ryan Silvey

/s/ Stephen Webber

/s/ S. Kiki Curls

/s/ Gail McCann Beatty

/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Sifton—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 7**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 7

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh

Wasson Wieland—34

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 8** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 8**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 9** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 9**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 10** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 10**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 11**, as amended and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 11**.

PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 8** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 8

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 8, begs leave to report that we, after free and fair discussion of the differences, have agreed

to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 8.
2. That the House recede from its position on House Committee Substitute for House Bill No. 8.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Thomas Flanigan

/s/ Scott Fitzpatrick

/s/ Kathie Conway

John Rizzo

/s/ Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Dan Brown

/s/ Ryan Silvey

/s/ S. Kiki Curls

/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 8**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 8

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
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Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 9** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 9

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 9.
2. That the House recede from its position on House Committee Substitute for House Bill No. 9.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 9, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Thomas Flanigan

/s/ Scott Fitzpatrick

/s/ Kathie Conway

John Rizzo

Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Dan Brown

/s/ Ryan Silvey

/s/ S. Kiki Curls

/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Wieland—1

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 9**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 9

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson—32

NAYS—Senator Wieland—1

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 10** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 10

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 10.
2. That the House recede from its position on House Committee Substitute for House Bill No. 10.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Thomas Flanigan

/s/ Scott Fitzpatrick

/s/ Marsha Haefner

Jeanne Kirkton

Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Dan Brown

/s/ Ryan Silvey

/s/ S. Kiki Curls

/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Hegeman	Keaveny
Kehoe	Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Silvey	Wasson	Wieland—24

NAYS—Senators

Curls	Kraus	LeVota	Nasheed	Schaaf	Schupp	Sifton	Wallingford
Walsh—9							

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 10**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 10

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further provided that no funds from these sections shall be expended for the purpose of medicaid expansion as outlined under the Affordable Care Act.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Hegeman	Keaveny
Kehoe	Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaefer	Schatz	Schmitt	Silvey	Wasson	Wieland—24

NAYS—Senators

Curls	Kraus	LeVota	Nasheed	Schaaf	Schupp	Sifton	Wallingford
Walsh—9							

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 11**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 11, as amended

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, as amended, begs leave to report that we, after free and fair discussion of the differences,

have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 11.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Thomas Flanigan

/s/ Scott Fitzpatrick

/s/ Marsha Haefner

Jeanne Kirkton

Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer

/s/ Michael Kehoe

/s/ Ryan Silvey

/s/ S. Kiki Curls

/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Hegeman	Keaveny	Kehoe	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Sifton	Silvey	Walsh	Wieland—23	

NAYS—Senators

Chappelle-Nadal	Dixon	Emery	Kraus	LeVota	Schaaf	Schupp	Wallingford
Wasson—9							

Absent—Senator Nasheed—1

Absent with leave—Senator Holsman—1

Vacancies—None

Senator Kehoe assumed the Chair.

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 11**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE
HOUSE BILL NO. 11

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General, and further

provided that no funds from these sections shall be expended for the purpose of Medicaid expansion as outlined under the Affordable Care Act.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Hegeman	Keaveny	Kehoe	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaefer	Schatz	Schmitt	Sifton	Silvey	Walsh	Wieland—23	

NAYS—Senators

Chappelle-Nadal	Dixon	Emery	Kraus	LeVota	Schaaf	Schupp	Wallingford
Wasson—9							

Absent—Senator Nasheed—1

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 12** and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 12**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 13** and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 13**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 671 & 683**, entitled:

An Act to repeal section 334.040, RSMo, and to enact in lieu thereof two new sections relating to licensure of physicians.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 137**, entitled:

An Act to repeal sections 34.040 and 136.055, RSMo, and to enact in lieu thereof two new sections relating to competitive bidding, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 324**, entitled:

An Act to repeal section 231.444, RSMo, and to enact in lieu thereof one new section relating to the special road rock fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 830**, entitled:

An Act to repeal section 195.010 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 195.010 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, section 195.017 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 195.017 as enacted by house bill no. 641, ninety-sixth general assembly, first regular session, and to enact in lieu thereof seven new sections relating to industrial hemp, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 583**, entitled:

An Act to repeal sections 441.040, 441.740, and 441.770, RSMo, and to enact in lieu thereof three new sections relating to tenant evictions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 762**, entitled:

An Act to repeal section 610.100, RSMo, and to enact in lieu thereof two new sections relating to

accessibility of information acquired by law enforcement.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1066**, entitled:

An Act to repeal sections 192.020 and 192.667, RSMo, and to enact in lieu thereof two new sections relating to infection reporting.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 198**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to medication synchronization services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 12** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 12

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12.
2. That the House recede from its position on House Committee Substitute for House Bill No. 12.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12, be truly agreed to and finally passed.

FOR THE HOUSE:
/s/ Thomas Flanigan

FOR THE SENATE:
/s/ Kurt Schaefer

/s/ Scott Fitzpatrick

/s/ Dan Brown

/s/ Robert Ross

/s/ Ryan Silvey

/s/ Jeremy LaFaver

/s/ S. Kiki Curls

/s/ Gail McCann Beatty

/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Walsh	Wasson	Wieland—28				

NAYS—Senators

Chappelle-Nadal	LeVota	Schupp—3
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Absent—Senators

Schaaf	Sifton—2
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Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **HCS** for **HB 12**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 12

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2015 and ending June 30, 2016.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce

Richard	Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Walsh	Wasson	Wieland—28				

NAYS—Senators

Chappelle-Nadal	LeVota	Schupp—3
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Absent—Senators

Schaaf	Sifton—2
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Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 13** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 13

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 13, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 13.
2. That the House recede from its position on House Committee Substitute for House Bill No. 13.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 13, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Thomas Flanigan
/s/ Scott Fitzpatrick
/s/ Robert Ross
/s/ Jeremy LaFaver
/s/ Gail McCann Beatty

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Ryan Silvey
/s/ S. Kiki Curls
/s/ Gina Walsh

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Keaveny
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaefer	Schatz	Schmitt
Schupp	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senator Chappelle-Nadal—1

Absent—Senators

Schaaf Sifton—2

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SCS** for **HCS** for **HB 13**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 13

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2015 and ending June 30, 2016; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Keaveny
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaefer	Schatz	Schmitt
Schupp	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal Schaaf Sifton—3

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, Senator Richard submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 364**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Schaaf, Chairman of the Committee on General Laws and Pensions, Senator Richard submitted the following reports:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 629**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HCS for HB 722**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS for HB 882**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 117**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 399**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 336**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 533**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 587**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 17**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 127**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 615**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 709**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 130**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 374**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HB 111**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HCS** for **HB 299**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto

attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HCS** for **HBs 517** and **754**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 589**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 190**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 531**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HB 501**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 878**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 524**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe assumed the Chair.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HB 1084**—Commerce, Consumer Protection, Energy and the Environment.

HCS for **HB 796**—Seniors, Families and Children.

HCS for **HB 752**—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 734—Judiciary and Civil and Criminal Jurisprudence.

HB 684—Seniors, Families and Children.

HCS for HB 1002—Transportation, Infrastructure and Public Safety.

HB 832—Veterans' Affairs and Health.

HCS for HB 976—Seniors, Families and Children.

HB 1093—Agriculture, Food Production and Outdoor Resources.

HCS for HB 377—Education.

HB 691—General Laws and Pensions.

HB 940—General Laws and Pensions.

HCS for HB 807—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 618—Financial and Governmental Organizations and Elections.

HCS for HB 665—Small Business, Insurance and Industry.

HCS for HB 714—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 117—Ways and Means.

HB 494—General Laws and Pensions.

HCS for HB 1058—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 385—Financial and Governmental Organizations and Elections.

HB 536—Transportation, Infrastructure and Public Safety.

HB 630—General Laws and Pensions.

HCS for HB 527—General Laws and Pensions.

REFERRALS

President Pro Tem Dempsey referred **SCR 39** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Richard, the Senate recessed until 5:15 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SCS for HCS for HB 1**; **CCS for SCS for HCS for HB 2**; **CCS for SCS for HCS for HB 3**; **CCS for SCS for HCS for HB 4**; **CCS for SCS for HCS for HB 6**; **CCS for SCS for HCS for HB 7**; **CCS for SCS for HCS for HB 8**; **CCS for SCS for HCS for HB 9**; **CCS for SCS for HCS for HB 10**; **CCS for SS for SCS for HCS for HB 12**; **CCS for SCS for HCS for HB 13**; and **HCS for HB 14**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed

by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

OBJECTIONS

Senator Schaaf submitted the following:

April 23, 2015

Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Madam Secretary:

Pursuant to Article III, section 30 I hereby submit a constitutional objection to HB5. Based on the following:

Pursuant to Article III, section 37 **Limitation on state debts and bond issues.**

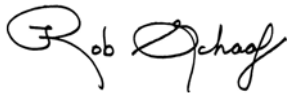
“(3) When the liability exceeds one million dollars, the General Assembly as on constitutional amendments, or the people by the initiative, may also submit a measure containing the amount, purpose and terms of the liability, and if the measure is approved by a majority of the qualified electors of the state voting thereon at the election, the liability may be incurred, and the bonds issued therefore must be retired serially and by installments within a period not exceeding 25 years from their date.”

In reference to:

Section 5.180- Fulton State Hospital Bond Fund: \$14,200,000

Section 5.215- Edward Jones Dome Project: \$12,000,000

Sincerely,



Rob Schaaf
State Senator
District 34

Also,

April 23, 2015

Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Madam Secretary:

Pursuant to Article III, section 30 I hereby submit a constitutional objection to HB11. Based on the following:

Pursuant to Article IV, section 23 **Fiscal year-limitations on appropriations-specification of amount and purpose.**

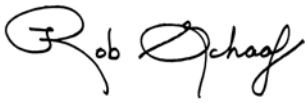
(23)“The fiscal year of the state and all its agencies shall be the twelve months beginning on the first day of July in each year. The general assembly shall make appropriations for one or two fiscal years, and the sixty-third general assembly shall also make appropriations for the six months ending June 30, 1945. Every appropriation law shall distinctly specify the amount and purpose of the appropriation without reference to any other law to fix the amount or purpose.”

In reference to:

Section 11.507: For the purpose of funding the payment to comprehensive statewide 4 prepaid health care plans and for the administration of the program 5 as provided by federal or state law or for payments to programs 6 authorized by the Frail Elderly Demonstration Project Waiver

as 7 provided by the Omnibus Reconciliation Act of 1990 (P.L. 101-8508, Section 4744) and by Section 208.152(16) RSMo and/or 9 funding for payments under the MO HealthNet fee-for-service 10 program provided that all enrollees covered under this section 11 shall be covered under the MO HealthNet managed care program 12 effective June 1, 2016. No MO HealthNet managed care 13 organization shall refuse to contract with any licensed Missouri 14 medical doctor, doctor of osteopathy, licensed professional 15 counselors, licensed social workers, physician assistants, nurse 16 practitioners, psychiatric nurse practitioners, marriage and family 17 therapist, occupational therapist, physical therapist, speech 18 therapists, advanced practice registered nurse, psychiatrist, or 19 psychologist who is located within the geographic area of a MO 20 HealthNet managed care program and is able to meet the 21 credentialing criteria established by the National Committee for 22 Quality Assurance, and is willing, as a term of contract, to be paid 23 at rates not less than one hundred percent of the MO HealthNet 24 Medicaid fee-for-service fee schedule. A task force appointed by 25 the House and Senate consisting of providers, payers, and 26 consumer groups shall develop a strategy for implementation of a C.C.S. S.C.S. H.C.S. H.B. 11 33 27 statewide care delivery model including but not limited to 28 managed care beginning June 1, 2016. This section shall apply to 29 those populations included in managed care as of June 1, 2015.

Sincerely,



Rob Schaaf
State Senator
District 34

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS** for **SCS** for **HCS** for **HB 5** and **CCS** for **SCS** for **HCS** for **HB 11**, having passed both branches of the General Assembly, would be read at length by the Secretary, and, the objections notwithstanding, the bills would be signed by the President Pro Tem to the end that they may become law. The bills were so read by the Secretary and signed by the President Pro Tem.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 898, regarding the New Beginnings Women's Center, Warrensburg, which was adopted.

Senator Wallingford offered Senate Resolution No. 899, regarding Julia Pittman, Pleasant Hill, which was adopted.

Senator Wallingford offered Senate Resolution No. 900, regarding Rebecca M. Bockelman, Millersville, which was adopted.

Senator Wallingford offered Senate Resolution No. 901, regarding Larry Clear, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 902, regarding Joseph D. Spurgeon, Chaffee, which was adopted.

Senator Wallingford offered Senate Resolution No. 903, regarding Dee Wren, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 904, regarding Chris Crawford, Jackson, which was adopted.

Senator Romine offered Senate Resolution No. 905, regarding John McClure Robinson, III, Caledonia,

which was adopted.

Senator Romine offered Senate Resolution No. 906, regarding Faith A. Dinkins, Ironton, which was adopted.

Senator Romine offered Senate Resolution No. 907, regarding Nancy A. Renicke, Annapolis, which was adopted.

Senator Romine offered Senate Resolution No. 908, regarding Glenda Tucker, Annapolis, which was adopted.

Senator Kehoe offered Senate Resolution No. 909, regarding H. Dwight Weaver, Eldon, which was adopted.

INTRODUCTIONS OF GUESTS

Senator LeVota introduced to the Senate, Eliana Birdsong, Jefferson City; and Eliana was made an honorary page.

Senator Keaveny introduced to the Senate, John Schulte, Jefferson City.

Senator Wasson introduced to the Senate, the Physician of the Day, Dr. Alex Hover, Ozark.

Senator Brown introduced to the Senate, Everett Perkins, Edgar Springs.

Senator Onder introduced to the Senate, Mayor Nick Guccione and Judge Mike Carter, Wentzville; and Ryan Carter, Hazelwood.

Senator Wallingford introduced to the Senate, Dora Rosa and Tom Hyatt, Fredericktown.

Senator Schaefer introduced to the Senate, Coach Brian Smith; and members of the Mizzou Tiger Wrestling team, Columbia.

Senator Kehoe introduced to the Senate, Bill Burton, Jefferson City.

On behalf of Senator Pearce, the President introduced to the Senate, Tammie Winter and Dennis Knipmeyer, Lafayette County.

Senator Dempsey introduced to the Senate, Chip Dozier, St. Charles.

Senator Emery introduced to the Senate, fourth grade students from Timber Creek Elementary School, Raymore.

Senator Kehoe introduced to the Senate, teachers, Mr. Stephens and Ms. Wagner, parents, and fifth grade students from Linn Elementary School, Osage County.

Senator Dempsey introduced to the Senate, teachers, Kim Cluck and Jami Murray, and seventh grade students from Zion Lutheran School, St. Charles.

Senator Schmitt introduced to the Senate, teacher Brenda Doering, parents, and fourth grade students from Abiding Savior Lutheran School, St. Louis.

Senator Pearce introduced to the Senate, David Rogers.

Senator Libla introduced to the Senate, his wife, Elaine, Poplar Bluff.

On motion of Senator Richard, the Senate adjourned until 3:00 p.m., Monday, April 27, 2015.

SENATE CALENDAR

FIFTY-EIGHTH DAY—MONDAY, APRIL 27, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HBs 671 & 683
HCS for HB 137
HB 324-Shumake
HCS for HB 830

HCS for HB 583
HCS for HB 762
HCS for HB 1066
HCS for HB 198

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)
SCS for SB 56-Munzlinger
(In Fiscal Oversight)
SS for SB 201-Dixon (In Fiscal Oversight)

SB 203-Dixon (In Fiscal Oversight)
SB 200-Dixon (In Fiscal Oversight)
SB 352-Schaefer (In Fiscal Oversight)
SB 377-Schatz (In Fiscal Oversight)
SB 433-Dixon and Dempsey

SENATE BILLS FOR PERFECTION

1. SB 497-Hegeman
2. SB 266-Schaefer, with SCS
3. SB 360-Parson, with SCS
4. SB 313-Wallingford, with SCS
5. SBs 451, 307, 100 & 165-Dixon, with SCS
6. SB 432-Onder, with SCS
7. SB 528-Sater
8. SB 455-Kehoe
9. SB 392-Wieland
10. SB 44-Nasheed, with SCS
11. SB 471-Schaaf

12. SB 177-Munzlinger, with SCS
13. SB 442-Schaefer
14. SB 46-Holsman
15. SB 520-Kehoe, with SCS
16. SB 409-Wallingford, with SCS
17. SB 427-Sifton, with SCS
18. SB 533-Riddle
19. SB 286-Schaaf and Silvey
20. SB 267-Schaefer, with SCS
21. SB 220-Kehoe
22. SB 364-Parson

- 23. SB 117-Brown, with SCS
- 24. SB 399-Onder
- 25. SB 17-Dixon

- 26. SB 127-Brown, with SCS
- 27. SB 130-Walsh and Schupp, with SCS
- 28. SB 374-Schatz, with SCS

HOUSE BILLS ON THIRD READING

- 1. HB 92-Miller (Kehoe)
- 2. HB 514-Leara (Schmitt)
(In Fiscal Oversight)
- 3. HB 458-Allen, with SCS (Schmitt)
- 4. HB 515-Leara (Keaveny)
- 5. HJR 1-Dugger (Kraus)
(In Fiscal Oversight)
- 6. HB 152-Haahr, with SCS (Onder)
- 7. HB 108-McCaherty (Dixon)
- 8. HCS for HB 50, with SCS (Parson)
(In Fiscal Oversight)
- 9. HCS for HB 777 (Kraus)
- 10. HB 556-Wood, with SCS (Riddle)
(In Fiscal Oversight)
- 11. HB 836-Ross (Libla)
- 12. HCS for HJR 34, with SCS (Schmitt)
(In Fiscal Oversight)
- 13. HB 629-Leara (Silvey)

- 14. HCS for HB 722
- 15. HCS for HB 882-McGaugh, with SCS
(Munzlinger)
- 16. HB 336-McGaugh (Kraus)
- 17. HB 533-Dugger, with SCS (Wasson)
- 18. HCS for HB 587-Dugger (Wasson)
- 19. HB 615-Dohrman, with SCS (Schatz)
- 20. HCS for HB 709, with SCS
- 21. HB 111-Crawford (Cunningham)
- 22. HCS for HB 299, with SCS (Kraus)
- 23. HCS for HBs 517 & 754, with SCS
- 24. HB 589-Hough, with SCS
- 25. HB 190-Swan (Wallingford)
- 26. HB 531-Solon (Riddle)
- 27. HB 501-Montecillo (Brown)
- 28. HB 878-Rhoads, with SCS (Libla)
- 29. HB 524-Dugger (Cunningham)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

- SB 37-Romine, with SCS & SA 1 (pending)
- SB 53-Schaaf, with SS (pending)
- SB 55-Munzlinger
- SB 59-Dixon
- SB 69-LeVota, with SCS
- SB 80-Dixon, with SCS

- SB 91-Dixon, with SCS
- SBs 112, 212, 143 & 234-Dixon, with SCS
- SB 151-Sater
- SB 159-Parson
- SB 167-Schaaf, with SCS
- SBs 199, 417 & 42-Dixon, et al, with

SCS, SS for SCS & SA 1 (pending)	SB 372-Keaveny, with SCS (pending)
SB 225-Romine, with SCS	SB 373-Libla
SB 227-Emery, with SS (pending)	SB 400-Onder, with SS (pending)
SB 232-Kehoe, with SCS (pending)	SB 420-Schmitt
SB 233-Kehoe, with SCS & SA 2 (pending)	SB 424-Pearce, with SA 1 (pending)
SB 268-Pearce, with SCS	SB 452-Schmitt, et al, with SA 1 & point of order (pending)
SB 299-Pearce	SB 463-Dixon
SB 302-Riddle, with SCS (pending)	SB 469-Munzlinger
SB 304-Keaveny, with SCS	SB 481-Onder, with SCS
SB 305-Onder	SB 540-Libla, with SS (pending)
SBs 331 & 21-Libla, with SCS & SS for SCS (pending)	SB 567-Chappelle-Nadal, et al
SB 339-Munzlinger, with SS (pending)	SJR 7-Richard and Wallingford
SB 358-Kehoe	SJR 12-Onder, with SCS (pending)
SB 371-Munzlinger	

CONSENT CALENDAR

House Bills

Reported 4/9

HB 125-Black (Romine)

Reported 4/15

HB 41-Wood, with SCS (Kehoe)	HB 874-Remole (Munzlinger)
HB 511-Mathews (Schatz)	HB 1116-Rehder (Libla)
HB 88-Walton Gray (Walsh)	HB 1119-Redmon (Hegeman)
HB 326-Leara (Kehoe)	HB 1052-Miller (Wasson)
HB 361-Spencer (Riddle)	HB 1098-Crawford, with SCS (Kraus)
HB 400-Peters (Walsh)	HB 391-Gosen (Parson)
HB 402-Phillips (Sater)	HB 343-Lair, with SCS (Wieland)
HB 403-Phillips, with SCS (Sater)	HB 947-Wiemann, with SCS (Wallingford)
HB 404-Phillips (Sater)	HB 179-Chipman (Brown)
HB 567-Dunn (Curls)	HB 269-Miller (Kehoe)
HB 778-Ruth (Romine)	HB 650-Cornejo (Schaefer)
HB 859-Dunn (Curls)	HB 869-Solon (Schatz)
HB 861-Fitzwater (49) (Wasson)	

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 5-Schmitt, with HCS,
as amended

SB 221-Schatz, with HCS

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1,
HA 2, as amended, HA 3, as
amended & HA 4
SB 104-Kraus, with HCS, as amended
(CCR Offered)

SCS for SB 152-Wallingford, with HCS, as
amended (CCR Offered)
HCS for HB 42 with SCS, as amended
(Pearce)

RESOLUTIONS

Reported from Committee

HCR 34-Rowland (Cunningham)

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-EIGHTH DAY—MONDAY, APRIL 27, 2015

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“You have dealt well with your servant, O Lord, according to your word. Teach me good judgment and knowledge, for I believe in your commandments.” (Psalm 119:65-66)

Infinite God, You have brought us safely here to continue the work that is before us and necessary for those we serve. Curb our pride and protect us from those things that lead us away from Your teachings, while setting our minds on the things that bring about good decisions that are helpful and needed. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 23, 2015 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wieland offered Senate Resolution No. 910, regarding Kathy Flanigan, which was adopted.

Senator Wallingford offered Senate Resolution No. 911, regarding the Madison County Public Water Supply District I, Fredericktown, which was adopted.

Senator Schaaf offered Senate Resolution No. 912, regarding Wesley Clay Slawson, St. Joseph, which was adopted.

Senator Munzlinger offered Senate Resolution No. 913, regarding Noah Daniel Krueger, Kirksville, which was adopted.

Senator Libla offered Senate Resolution No. 914, regarding Connie Duke, Dexter, which was adopted.

Senator Silvey offered Senate Resolution No. 915, regarding Dr. Cecelia Robinson, which was adopted.

Senator Silvey offered Senate Resolution No. 916, regarding Jacob Baldwin, which was adopted.

Senator Onder offered Senate Resolution No. 917, regarding Isaiah Gilbert Cody, Dardenne Prairie, which was adopted.

Senator Onder offered Senate Resolution No. 918, regarding Michael Crawford, Jr., Saint Peters, which was adopted.

Senator Onder offered Senate Resolution No. 919, regarding Markeon S. Edwards, Saint Charles, which was adopted.

Senator Sifton offered Senate Resolution No. 920, regarding Jack Ketcher, which was adopted.

Senator Sifton offered Senate Resolution No. 921, regarding Jeremy Busch, which was adopted.

Senator Schaefer offered Senate Resolution No. 922, regarding Sharp End Heritage Committee, Columbia, which was adopted.

On behalf of Senator Holsman, Senator Keaveny offered Senate Resolution No. 923, regarding Rosie Davis, Lee's Summit, which was adopted.

On behalf of Senator Holsman, Senator Keaveny offered Senate Resolution No. 924, regarding Marcia Pitts, Kansas City, which was adopted.

Senator Romine offered Senate Resolution No. 925, regarding Mary Fleeman, which was adopted.

Senator Romine offered Senate Resolution No. 926, regarding Ann Pfaff, which was adopted.

Senator Romine offered Senate Resolution No. 927, regarding Lou Clemens, which was adopted.

Senator Romine offered Senate Resolution No. 928, regarding Yvonne Clifton, which was adopted.

Senator Romine offered Senate Resolution No. 929, regarding Roberta Wilkin, which was adopted.

Senator Romine offered Senate Resolution No. 930, regarding Debra Sopko, which was adopted.

Senator Romine offered Senate Resolution No. 931, regarding Joann Kelly, which was adopted.

Senator Libla offered Senate Resolution No. 932, regarding Steve Duke, Dexter, which was adopted.

CONCURRENT RESOLUTIONS

Senator Romine offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 40

Whereas, the mining industry is a vital sector of Missouri's economy; and

Whereas, it is important that mining property be assessed in a uniform and accurate manner throughout the state; and

Whereas, owners of mining property require a reliable, accurate, and uniform method of assessment of their property to best operate their businesses:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create the Study Commission on Mining Property Assessment; and

Be It Further Resolved that the mission of the commission shall be to fully consider and make recommendations in a report to the General Assembly on:

- (1) The current state of assessment of mining property in this state;
- (2) Any improvements to the process of assessment of mining property; and
- (3) Legislative proposals including rules and regulations necessary for implementation of a uniform and accurate method of assessment of mining property in this state; and

Be It Further Resolved that the commission be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

Be It Further Resolved that the commission shall consist of all of the following members:

- (1) Four members of the senate appointed by the president pro tempore of the senate, with the majority party being represented by no more than two members;
- (2) Four members of the house of representatives appointed by the speaker of the house of representatives, with the majority party being represented by no more than two members; and
- (3) Two individuals from each of the following groups, with the president pro tempore of the senate appointing one and the speaker of the house of representatives appointing one:
 - (a) County assessors;
 - (b) Individuals with experience in the mining industry;
 - (c) Individuals with experience in the quarry industry;
 - (d) Individuals with experience in the lead industry;
 - (e) Individuals with experience in the limestone industry;
 - (f) Individuals with experience in the hard rock industry;
 - (g) Individuals with experience in the frac sand industry; and
 - (h) Administrators of elementary and secondary schools; and

Be It Further Resolved that the staffs of Senate Research and House Research shall provide such legal, research, clerical, technical, and bill drafting services as the commission may require in the performance of its duties; and

Be It Further Resolved that the commission, its members, and any staff assigned to the commission shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the commission; and

Be It Further Resolved that the chair or vice-chair and secretary of the commission shall call an organizational meeting within fifteen days of the adoption of this resolution; and

Be It Further Resolved that the commission shall terminate by either a majority of members voting for termination, or by December 31, 2015, whichever occurs first; and

Be It Further Resolved that on the date of termination, the commission shall deliver a report of findings and recommendations to the General Assembly.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HB 271**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HJR 1**; **HB 556**, with **SCS**; **HB 514**; and **HCS** for **HB 50**, with **SCS**, begs leave to report that it has considered the same and recommends that the joint resolution and bills do pass.

President Kinder assumed the Chair.

SENATE BILLS FOR PERFECTION

At the request of Senator Hegeman, **SB 497** was placed on the Informal Calendar.

SB 266, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Parson, **SB 360**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 313**, with **SCS**, was placed on the Informal Calendar.

SB 451, **SB 307**, **SB 100** and **SB 165**, with **SCS**, were placed on the Informal Calendar.

SB 432, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Sater, **SB 528** was placed on the Informal Calendar.

At the request of Senator Kehoe, **SB 455** was placed on the Informal Calendar.

At the request of Senator Wieland, **SB 392** was placed on the Informal Calendar.

SB 44, with **SCS** was placed on the Informal Calendar.

At the request of Senator Schaaf, **SB 471** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 177**, with **SCS**, was placed on the Informal Calendar.

SB 442 was placed on the Informal Calendar.

SB 46 was placed on the Informal Calendar.

At the request of Senator Kehoe, **SB 520**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wallingford, **SB 409**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Sifton, **SB 427**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Riddle, **SB 533** was placed on the Informal Calendar.

At the request of Senator Schaaf, **SB 286** was placed on the Informal Calendar.

SB 267, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kehoe, **SB 220** was placed on the Informal Calendar.

At the request of Senator Parson, **SB 364** was placed on the Informal Calendar.

At the request of Senator Brown, **SB 117**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Onder, **SB 399** was placed on the Informal Calendar.

At the request of Senator Dixon, **SB 17** was placed on the Informal Calendar.

At the request of Senator Brown, **SB 127**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Walsh, **SB 130**, with **SCS**, was placed on the Informal Calendar.

SB 374, with **SCS**, was placed on the Informal Calendar.

HOUSE BILLS ON THIRD READING

At the request of Senator Kehoe, **HB 92** was placed on the Informal Calendar.

At the request of Senator Schmitt, **HB 514** was placed on the Informal Calendar.

At the request of Senator Schmitt, **HB 458**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Keaveny, **HB 515** was placed on the Informal Calendar.

At the request of Senator Kraus, **HJR 1** was placed on the Informal Calendar.

At the request of Senator Onder, **HB 152**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Dixon, **HB 108** was placed on the Informal Calendar.

HCS for **HB 50**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kraus, **HCS** for **HB 777** was placed on the Informal Calendar.

At the request of Senator Riddle, **HB 556**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Libla, **HB 836** was placed on the Informal Calendar.

REFERRALS

President Pro Tem Dempsey referred **HCS** for **HB 709**, with **SCS**; **HCS** for **HB 882**, with **SCS**; **HCS** for **HBs 517** and **754**, with **SCS**; **HB 524**; **HB 589**, with **SCS**; **HCS** for **HB 587**; **HCS** for **HB 299**, with **SCS**; and **HB 615**, with **SCS** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON THIRD READING

At the request of Senator Silvey, **HB 629** was placed on the Informal Calendar.

At the request of Senator Kehoe, **HCS** for **HB 722** was placed on the Informal Calendar.

At the request of Senator Kraus, **HB 336** was placed on the Informal Calendar.

At the request of Senator Wasson, **HB 533**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Cunningham, **HB 111** was placed on the Informal Calendar.

At the request of Senator Wallingford, **HB 190** was placed on the Informal Calendar.

At the request of Senator Riddle, **HB 531** was placed on the Informal Calendar.

At the request of Senator Brown, **HB 501** was placed on the Informal Calendar.

At the request of Senator Libla, **HB 878**, with **SCS**, was placed on the Informal Calendar.

THIRD READING OF SENATE BILLS

SB 433, introduced by Senators Dixon and Dempsey, entitled:

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to the compact for a balanced budget, with an emergency clause.

Was taken up by Senator Dixon.

On motion of Senator Dixon, **SB 433** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe
Kraus	Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Sifton	Silvey
Wallingford	Wasson	Wieland—27					

NAYS—Senators

Curls	Keaveny	LeVota	Nasheed	Schupp	Walsh—6
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Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaaf	Schaefer	Schatz	Schmitt	Sifton	Silvey	Wallingford
Wasson	Wieland—26						

NAYS—Senators

Chappelle-Nadal	Curls	Keaveny	LeVota	Nasheed	Schupp	Walsh—7
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Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Hegeman moved that **SB 497** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 497, Page 1, In the Title, Line 3, by striking “dissolution of special” and inserting in lieu thereof the following: “special purpose”; and

Further amend said bill, page 4, section 67.955, line 11, by inserting immediately after said line the following:

“393.015. 1. Notwithstanding any other provision of law to the contrary, any sewer corporation, municipality or sewer district established under the provisions of chapter 249 or 250, or sections 204.250 to 204.470, or any sewer district created and organized pursuant to constitutional authority, may contract with any water corporation, **any municipality providing water, or any water districts established under chapter 247, which for purposes of this section shall collectively be designated as a water provider**, to terminate water services to any customer premises for nonpayment of a sewer bill. No such termination of water service may occur until thirty days after the sewer corporation, municipality or statutory sewer district or sewer district created and organized pursuant to constitutional authority sends a written notice to the customer, except that if the water [corporation] **provider** is performing a combined water and sewer billing service for the sewer corporation, municipality or sewer district, no additional notice or any additional waiting period shall be required other than the notice and waiting period already used by the water [corporation] **provider** to disconnect water service for nonpayment of the water bill. Acting pursuant to a contract, the water [corporation] **provider** shall discontinue water service until such time as the sewer charges and all related costs of termination and reestablishment of sewer and water services are paid by the customer.

2. A water [corporation] **provider** acting pursuant to a contract with a sewer corporation, municipality or sewer district as provided in subsection 1 of this section shall not be liable for damages related to termination of water services unless such damage is caused by the negligence of such water [corporation] **provider**, in which case the water [corporation] **provider** shall be indemnified by the sewer corporation, municipality or sewer district. Unless otherwise specified in the contract, all costs related to the termination and reestablishment of services by the water [corporation] **provider** shall be reimbursed by the sewer corporation, municipality, sewer district or sewer district created and organized pursuant to constitutional authority.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted.

At the request of Senator Hegeman, **SB 497**, with **SA 1** (pending), was placed on the Informal Calendar.

HOUSE BILLS ON THIRD READING

HB 515, introduced by Representative Leara, entitled:

An Act to repeal sections 86.200, 86.213, 86.237, 86.250, 86.251, 86.257, 86.263, 86.270, and 86.320, RSMo, and to enact in lieu thereof nine new sections relating to police retirement systems.

Was taken up by Senator Keaveny.

Senator Keaveny offered **SA 1**

SENATE AMENDMENT NO. 1

Amend House Bill No. 515, Page 1, In the Title, Line 3, by striking the word “police” and inserting in lieu thereof the following: “local government”; and

Further amend said bill, page 4, section 86.200, line 114, by inserting immediately after said line the following:

“86.207. 1. **Except as provided herein**, all persons who become policemen and all policemen who enter or reenter the service of [the] **any city not within a county** after the first day of October, 1957, become members as a condition of their employment and shall receive no pensions or retirement allowance from any other pension or retirement system supported wholly or in part by the city **not within a county** or the state of Missouri, nor shall they be required to make contributions under any other pension or retirement system of the city **not within a county** or the state of Missouri **for the same period of service**, anything to the contrary notwithstanding. **Any employee of a city not within a county who is earning creditable service in a retirement plan established by said city under section 95.540 and subsequently becomes a policeman may elect to remain a member of said retirement plan and shall not be required to become a member of a police retirement system established under section 86.200. However, an employee of a city not within a county who is earning creditable service in a retirement plan established by said city under section 95.540 and who subsequently becomes a policeman may elect to transfer membership and creditable service to the police retirement system created under section 86.200. Such transfers are subject to the conditions and requirements contained in section 105.691 and are also subject to any existing agreements between the said retirement plans; provided however, transfers completed prior to January 1, 2016, shall occur without regard to the vesting requirements of the receiving plan contained in section 105.691. As part of the transfer process described herein, the respective retirement plans may require the employee to acknowledge and agree as a condition of transfer that any election made under this section is irrevocable, constitutes a waiver of any right to receive retirement and disability benefits except as provided by the police retirement system, and that plan terms may be modified in the future.**

2. If any member ceases to be in service for more than one year unless the member has attained the age of fifty-five or has twenty years or more of creditable service, or if the member withdraws the member’s accumulated contributions or if the member receives benefits under the retirement system or dies, the member thereupon ceases to be a member; except in the case of a member who has served in the Armed Forces of the United States and has subsequently been reinstated as a policeman. A member who has terminated employment as a police officer, has actually retired and is receiving retirement benefits under the system shall be considered a retired member.

3. A reserve officer shall not be considered a member of the system for the purpose of determining

creditable service, nor shall any contributions be due. A reserve officer shall not be entitled to any benefits from the system other than those awarded when the reserve officer originally retired under section 86.250, nor shall service as a reserve officer prohibit distribution of those benefits.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Silvey offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Bill No. 515, Page 13, Section 86.320, Line 22, by inserting after all of said line the following:

“86.1110. 1. Whenever a member is given a leave of absence for military service and returns to employment after discharge from the service, such member shall be entitled to creditable service for the years of employment prior to the leave of absence.

2. Except as provided in subsection 3 of this section, a member who served on active duty in the Armed Forces of the United States and who became a member, or returned to membership, after discharge under honorable conditions, may elect prior to retirement to purchase creditable service equivalent to such service in the Armed Forces, not to exceed two years, provided the member is not receiving and is not eligible to receive retirement credits or benefits from any other public or private retirement plan for the service to be purchased, other than a United States military service retirement system or United States Social Security benefits attributable to such military service, and an affidavit so stating is filed by the member with the retirement system. A member electing to make such purchase shall pay to the retirement system an amount equal to the actuarial cost of the additional benefits attributable to the additional service credit to be purchased, as of the date the member elects to make such purchase. Payment in full of the amount due from a member electing to purchase creditable service under this subsection shall be made over a period not to exceed five years, measured from the date of election, or prior to the commencement date for payment of benefits to the member from the retirement system, whichever is earlier, including interest on unpaid balances compounded annually at the interest rate assumed from time to time for actuarial valuations of the retirement system. If payment in full including interest is not made within the prescribed period, any partial payments made by the member shall be refunded, and no creditable service attributable to such election, or as a result of any such partial payments, shall be allowed; provided that if a benefit commencement date occurs because of the death or disability of a member who has made an election under this subsection and if the member is current in payments under an approved installment plan at the time of the death or disability, such election shall be valid if the member, the surviving spouse, or other person entitled to benefit payments pays the entire balance of the remaining amount due, including interest to the date of such payment, within sixty days after the member’s death or disability. The time of a disability shall be deemed to be the time when such member is retired by the board of police commissioners for reason of disability as provided in sections 86.900 to 86.1280.

3. Notwithstanding any other provision of sections 86.900 to 86.1280, **on or after August 28, 2015**, a member who [is on leave of absence for military service during any portion of which leave the United States is in a state of declared war, or a compulsory draft is in effect for any of the military branches of the United States, or any units of the military reserves of the United States, including the National Guard, are mobilized for combat military operations,] **returns to service from a leave of absence for active duty military**

service and who becomes entitled to reemployment rights and other employment benefits under Title 38, Chapter 43 of the U.S. Code, relating to employment and reemployment rights of members of the uniformed services by meeting the requirements for such rights and benefits under Section 4312 of said chapter, or the corresponding provisions of any subsequent applicable federal statute, shall be entitled to service credit for the time spent in such military service for all purposes of sections 86.900 to 86.1280 [and such member shall not be required to pay any member contributions for such time. If it becomes necessary for the years of such service to be included in the calculation of such member's compensation for any purpose, such member shall be deemed to have received the same compensation throughout such period of service as the member's base annual salary immediately prior to the commencement of such leave of absence; provided, however, that the foregoing provisions of this subsection shall apply only to such portion of such leave with respect to which the cumulative length of the absence and of all previous absences from a position of employment with the employer by reason of service in the uniformed services does not exceed five years except for such period of any such excess as meets the requirements for exceptions to such five-year limitation set forth in the aforesaid Section 4312] **only to the extent such member pays any required member contributions for such time. The amount of required member contributions shall be calculated on the base compensation the member would have received during such leave period. The total amount of service credit that will be granted at the member contribution rate is limited to a maximum of five years. The retirement board may waive the required contributions for military leave of absence, not to exceed three years of creditable service, if the member provides duty orders under Title 10 or Title 32 U.S.C. and discharge from active duty documentation in the form of a DD214 or NGB23.**

86.1270. 1. A retirement plan under sections 86.900 to 86.1280 is a qualified plan under the provisions of applicable federal law. The benefits and conditions of a retirement plan under sections 86.900 to 86.1280 shall always be adjusted to ensure that the tax-exempt status is maintained.

2. The retirement board shall administer the retirement system in a manner as to retain at all times qualified status under Section 401(a) of the Internal Revenue Code.

3. The retirement board shall hold in trust the assets of the retirement system for the exclusive benefit of the members and their beneficiaries and for defraying reasonable administrative expenses of the system. No part of such assets shall, at any time prior to the satisfaction of all liabilities with respect to members and their beneficiaries, be used for or diverted to any purpose other than such exclusive benefit or to any purpose inconsistent with sections 86.900 to 86.1280.

4. A member's benefit shall be one hundred percent vested and nonforfeitable upon the member's attainment of normal retirement age, which shall be the earlier of:

(1) Completion of twenty-five years of service for Tier I members and twenty-seven years of service for Tier II members;

(2) Age sixty for any Tier I member who has completed at least ten years of creditable service or age sixty for any Tier II member who has completed at least fifteen years of creditable service;

(3) Age seventy without regard to years of service; or

(4) To the extent funded, upon the termination of the system established under sections 86.900 to 86.1280 or any partial termination which affects the members or any complete discontinuance of contributions by the city to the system. Amounts representing forfeited nonvested benefits of terminated members shall not be used to increase benefits payable from the system but may be used to reduce

contributions for future plan years.

5. Distribution of benefits shall begin not later than April first of the year following the later of the calendar year during which the member becomes seventy and one-half years of age or the calendar year in which the member retires, and shall otherwise conform to Section 401(a)(9) of the Internal Revenue Code.

6. A member or beneficiary of a member shall not accrue a service retirement annuity, disability retirement annuity, death benefit, whether death occurs in the line of duty or otherwise, or any other benefit under sections 86.900 to 86.1280 in excess of the benefit limits applicable to the fund under Section 415 of the Internal Revenue Code. The retirement board shall reduce the amount of any benefit that exceeds those limits by the amount of the excess. If the total benefits under the retirement system and the benefits and contributions to which any member is entitled under any other qualified plan or plans maintained by the board of police commissioners that employs the member would otherwise exceed the applicable limits under Section 415 of the Internal Revenue Code, the benefits the member would otherwise receive from the retirement system shall be reduced to the extent necessary to enable the benefits to comply with Section 415 of the Internal Revenue Code.

7. The total salary taken into account for any purpose for any member of the retirement system shall not exceed two hundred thousand dollars per year, subject to periodic adjustments in accordance with guidelines provided by the United States Secretary of the Treasury, and shall not exceed such other limits as may be applicable at any given time under Section 401(a)(17) of the Internal Revenue Code.

8. If the amount of any benefit is to be determined on the basis of actuarial assumptions that are not otherwise specifically set forth for that purpose in sections 86.900 to 86.1280, the actuarial assumptions to be used are those earnings and mortality assumptions being used on the date of the determination by the retirement system's actuary and approved by the retirement board. The actuarial assumptions being used at any particular time shall be attached as an addendum to a copy of the retirement system's statute that is maintained by the retirement board and shall be treated for all purposes as a part of sections 86.900 to 86.1280. The actuarial assumptions may be changed by the retirement system's actuary annually if approved by the retirement board, but a change in actuarial assumptions shall not result in any decrease in benefits accrued as of the effective date of the change.

9. Any member or beneficiary who is entitled to receive any distribution that is an eligible rollover distribution, as defined by Section 402(c)(4) of the Internal Revenue Code, is entitled to have that distribution transferred directly to another eligible retirement plan of the member's or beneficiary's choice upon providing direction to the secretary of this retirement system regarding the transfer in accordance with procedures established by the retirement board. **Effective for distributions made on or after January 1, 2010, a nonspouse beneficiary may elect to directly rollover an eligible rollover distribution to an individual retirement account under Section 408(a) of the Internal Revenue Code of 1986, as amended; to an individual retirement annuity under Section 408(b) of the Internal Revenue Code of 1986, as amended; or if the participant satisfies the requirements for making a Roth contribution under Section 408(A)(c)(3)(B) of the Internal Revenue Code of 1986, as amended, to a Roth individual retirement account.**

10. For all distributions made after December 31, 2001:

(1) For the purposes of subsection 9 of this section, an eligible retirement plan shall also mean an annuity contract described in Section 403(b) of the Internal Revenue Code and an eligible plan under Section 457(b) of the Internal Revenue Code which is maintained by the state, political subdivision of a

state, or any agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from the retirement system. The definition of eligible retirement plan shall also apply in the case of a distribution to a surviving spouse or to a spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Section 414(p) of the Internal Revenue Code; and

(2) For purposes of subsection 9 of this section, a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions which are not includable in gross income. However, such portion may be paid only to an individual retirement account or annuity described in Section 408(a) or 408(b) of the Internal Revenue Code, or to a qualified defined contribution plan described in Section 401(a) or 403(a) of the Internal Revenue Code that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution that is includable in gross income and the portion of such distribution that is not so includable.

86.1500. 1. Whenever a member is given a leave of absence for military service and returns to employment after discharge from the service, such member shall be entitled to creditable service for the years of employment prior to the leave of absence.

2. Except as provided in subsection 3 of this section, a member who served on active duty in the Armed Forces of the United States and who became a member, or returned to membership, after discharge under honorable conditions, may elect prior to retirement to purchase creditable service equivalent to such service in the Armed Forces, not to exceed two years, provided the member is not receiving and is not eligible to receive retirement credits or benefits from any other public or private retirement plan for the service to be purchased, other than a United States military service retirement system or United States Social Security benefits attributable to such military service, and an affidavit so stating is filed by the member with the retirement system. A member electing to make such purchase shall pay to the retirement system an amount equal to the actuarial cost of the additional benefits attributable to the additional service credit to be purchased, as of the date the member elects to make such purchase. Payment in full of the amount due from a member electing to purchase creditable service under this subsection shall be made over a period not to exceed five years, measured from the date of election, or prior to the commencement date for payment of benefits to the member from the retirement system, whichever is earlier, including interest on unpaid balances compounded annually at the interest rate assumed from time to time for actuarial valuations of the retirement system. If payment in full including interest is not made within the prescribed period, any partial payments made by the member shall be refunded, and no creditable service attributable to such election, or as a result of any such partial payments, shall be allowed; provided that if a benefit commencement date occurs because of the death or disability of a member who has made an election under this subsection and if the member is current in payments under an approved installment plan at the time of the death or disability, such election shall be valid if the member, the surviving spouse or other person entitled to benefit payments pays the entire balance of the remaining amount due, including interest to the date of such payment, within sixty days after the member's death or disability. The time of a disability shall be deemed to be the time when such member is determined by the retirement board to be totally and permanently disabled as provided in section 86.1560.

3. Notwithstanding any other provision of sections 86.1310 to 86.1640, **on or after August 28, 2015**, a member who [is on leave of absence for military service during any portion of which leave the United States is in a state of declared war, or a compulsory draft is in effect for any of the military branches of the United States, or any units of the military reserves of the United States, including the National Guard, are

mobilized for combat military operations,] **returns to service from a leave of absence for active duty military service** and who becomes entitled to reemployment rights and other employment benefits under Title 38, Chapter 43 of the U.S. Code, relating to employment and reemployment rights of members of the uniformed services by meeting the requirements for such rights and benefits under Section 4312 of said chapter, or the corresponding provisions of any subsequent applicable federal statute, shall be entitled to service credit for the time spent in such military service for all purposes of sections 86.1310 to 86.1640 [and such member shall not be required to pay any member contributions for such time. If it becomes necessary for the years of such service to be included in the calculation of such member's compensation for any purpose, such member shall be deemed to have received the same compensation throughout such period of service as the member's base annual salary immediately prior to the commencement of such leave of absence; provided, however, that the foregoing provisions of this subsection shall apply only to such portion of such leave with respect to which the cumulative length of the absence and of all previous absences from a position of employment with the employer by reason of service in the uniformed services does not exceed five years except for such period of any such excess as meets the requirements for exceptions to such five-year limitation set forth in the aforesaid Section 4312] **only to the extent such member pays any required member contributions for such time. The amount of required member contributions shall be calculated on the base compensation the member would have received during such leave period. The total amount of service credit that will be granted at the member contribution rate is limited to a maximum of five years. The retirement board may waive the required contributions for military leave of absence, not to exceed three years of creditable service, if the member provides duty orders under Title 10 or Title 32 U.S.C. and discharge from active duty documentation in the form of a DD214 or NGB23.**

86.1630. 1. A retirement plan under sections 86.1310 to 86.1640 is a qualified plan under the provisions of applicable federal law. The benefits and conditions of a retirement plan under sections 86.1310 to 86.1640 shall always be adjusted to ensure that the tax-exempt status is maintained.

2. The retirement board shall administer this retirement system in such manner as to retain at all times qualified status under Section 401(a) of the Internal Revenue Code.

3. The retirement board shall hold in trust the assets of the retirement system for the exclusive benefit of the members and their beneficiaries and for defraying reasonable administrative expenses of the system. No part of such assets shall, at any time prior to the satisfaction of all liabilities with respect to members and their beneficiaries, be used for or diverted to any purpose other than such exclusive benefit or to any purpose inconsistent with sections 86.1310 to 86.1640.

4. A member's benefit shall be one hundred percent vested and nonforfeitable upon the member's attainment of normal retirement age, which shall be the earlier of:

(1) The attaining of the age of sixty-five or the member's tenth anniversary of employment, whichever is later for any Tier I member, or the attaining of the age of sixty-seven or the member's twentieth anniversary of employment, whichever is later for any Tier II member;

(2) For any Tier I member when the total sum of age and years of creditable service equals or exceeds eighty, or for any Tier II member when the total sum of age and years of creditable service equals or exceeds eighty-five; or

(3) To the extent funded, upon the termination of the system established under sections 86.1310 to 86.1640 or any partial termination which affects the member or any complete discontinuance of

contributions by the city to the system. Amounts representing forfeited nonvested benefits of terminated members shall not be used to increase benefits payable from the system but may be used to reduce contributions for future plan years.

5. Distribution of benefits shall begin not later than April first of the year following the later of the calendar year during which the member becomes seventy and one-half years of age or the calendar year in which the member retires, and shall otherwise conform to Section 401(a)(9) of the Internal Revenue Code.

6. A member or beneficiary of a member shall not accrue a service retirement annuity, disability retirement annuity, death benefit, whether death occurs in the line of duty or otherwise, or any other benefit under sections 86.1310 to 86.1640 in excess of the benefit limits applicable to the fund under Section 415 of the Internal Revenue Code. The retirement board shall reduce the amount of any benefit that exceeds the limits of this section by the amount of the excess. If the total benefits under the retirement system and the benefits and contributions to which any member is entitled under any other qualified plan or plans maintained by the board of police commissioners that employs the member would otherwise exceed the applicable limits under Section 415 of the Internal Revenue Code, the benefits the member would otherwise receive from the retirement system are reduced to the extent necessary to enable the benefits to comply with Section 415 of the Internal Revenue Code.

7. The total salary taken into account for any purpose for any member of the retirement system shall not exceed two hundred thousand dollars per year, subject to periodic adjustments in accordance with guidelines provided by the United States Secretary of the Treasury and may not exceed such other limits as may be applicable at any given time under Section 401(a)(17) of the Internal Revenue Code.

8. If the amount of any benefit is determined on the basis of actuarial assumptions that are not specifically set forth for that purpose in sections 86.1310 to 86.1640, the actuarial assumptions to be used are those earnings and mortality assumptions used on the date of the determination by the retirement system's actuary and approved by the retirement board. The actuarial assumptions used at any particular time shall be attached as an addendum to a copy of the retirement system's statute maintained by the retirement board and shall be treated for all purposes as part of sections 86.1310 to 86.1640. The actuarial assumptions may be changed by the retirement system's actuary annually if approved by the retirement board, but a change in actuarial assumptions shall not result in any decrease in benefits accrued as of the effective date of the change.

9. Any member or beneficiary who is entitled to receive any distribution that is an eligible rollover distribution, as defined by Section 402(c)(4) of the Internal Revenue Code, is entitled to have that distribution transferred directly to another eligible retirement plan of the member's or beneficiary's choice upon providing direction to the secretary of the retirement system regarding the transfer in accordance with procedures established by the retirement board. **Effective for distributions made on or after January 1, 2010, a nonspouse beneficiary may elect to directly rollover an eligible rollover distribution to an individual retirement account under Section 408(a) of the Internal Revenue Code of 1986, as amended; to an individual retirement annuity under Section 408(b) of the Internal Revenue Code of 1986, as amended; or if the participant satisfies the requirements for making a Roth contribution under Section 408(A)(c)(3)(B) of the Internal Revenue Code of 1986, as amended, to a Roth individual retirement account.**

10. For all distributions made after December 31, 2001:

(1) For the purposes of subsection 9 of this section, an eligible retirement plan shall also mean an annuity described in Section 403(b) of the Internal Revenue Code and an eligible plan under Section 457(b) of the Internal Revenue Code that is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state and which agrees to separately account for amounts transferred into such plan from the retirement system. The definition for eligible retirement plan shall also apply in the case of a distribution to a surviving spouse or to a spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Section 414(p) of the Internal Revenue Code; and

(2) For the purposes of subsection 9 of this section, a portion of a distribution shall not fail to be an eligible rollover distribution merely because the portion consists of after-tax employee contributions which are not includable in gross income. However, such portion may be paid only to an individual retirement account or annuity described in Section 408(a) or 408(b) of the Internal Revenue Code, or to a qualified defined contribution plan described in Section 401(a) or 403(a) of the Internal Revenue Code that agrees to separately account for amounts so transferred, including separately accounting for the portion of such distribution that is includable in gross income and the portion of such distribution that is not so includable.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Keaveny, **HB 515**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senator Sater—1

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Hegeman moved that **SB 497**, with **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Dempsey offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 497, Page 4, Section 67.955, Line 11, by inserting immediately after all of said line the following:

“644.145. 1. When issuing permits under this chapter that incorporate a new requirement for discharges from publicly owned combined or separate sanitary or storm sewer systems or **water or sewer** treatment works, or when enforcing provisions of this chapter or the Federal Water Pollution Control Act, 33 U.S.C. Section 1251, et seq., pertaining to any portion of a publicly owned combined or separate sanitary or storm sewer system or **water or sewer** treatment works, the department of natural resources shall make a finding of affordability on the costs to be incurred and the impact of any rate changes on ratepayers upon which to base such permits and decisions, to the extent allowable under this chapter and the Federal Water Pollution Control Act.

2. (1) The department of natural resources shall not be required under this section to make a finding of affordability when:

(a) Issuing collection system extension permits;

(b) Issuing National Pollution Discharge Elimination System operating permit renewals which include no new environmental requirements; or

(c) The permit applicant certifies that the applicable requirements are affordable to implement or otherwise waives the requirement for an affordability finding; however, at no time shall the department require that any applicant certify, as a condition to approving any permit, administrative or civil action, that a requirement, condition, or penalty is affordable.

(2) The exceptions provided under paragraph (c) of subdivision (1) of this subsection do not apply when the community being served has less than three thousand three hundred residents.

3. When used in this chapter and in standards, rules and regulations promulgated pursuant to this chapter, the following words and phrases mean:

(1) “Affordability”, with respect to payment of a utility bill, a measure of whether an individual customer or household with an income equal to [the] **or** lower [of] **than** the median household income for their community [or the state of Missouri] can pay the bill without undue hardship or unreasonable sacrifice in the essential lifestyle or spending patterns of the individual or household, taking into consideration the criteria described in subsection 4 of this section;

(2) “Financial capability”, the financial capability of a community to make investments necessary to make water quality-related improvements;

(3) “Finding of affordability”, a department statement as to whether an individual or a household

receiving as income an amount equal to [the] **or** lower [of] **than** the median household income for the applicant community [or the state of Missouri] would be required to make unreasonable sacrifices in [their] **the individual's or the household's** essential lifestyle or spending patterns or undergo hardships in order to make the projected monthly payments for sewer services. The department shall make a statement that the proposed changes meet the definition of affordable, or fail to meet the definition of affordable, or are implemented as a federal mandate regardless of affordability.

4. The department of natural resources shall adopt procedures by which it will make affordability findings that evaluate the affordability of permit requirements and enforcement actions described in subsection 1 of this section, and may begin implementing such procedures prior to promulgating implementing regulations. The commission shall have the authority to promulgate rules to implement this section pursuant to chapters 536 and 644, and shall promulgate such rules as soon as practicable. Affordability findings shall be based upon reasonably verifiable data and shall include an assessment of affordability with respect to persons or entities affected. The department shall offer the permittee an opportunity to review a draft affordability finding, and the permittee may suggest changes and provide additional supporting information, subject to subsection 6 of this section. The finding shall be based upon the following criteria:

- (1) A community's financial capability and ability to raise or secure necessary funding;
- (2) Affordability of pollution control options for the individuals or households at or below the median household income level of the community;
- (3) An evaluation of the overall costs and environmental benefits of the control technologies;
- (4) Inclusion of ongoing costs of operating and maintaining the existing wastewater collection and treatment system, including payments on outstanding debts for wastewater collection and treatment systems when calculating projected rates;
- (5) An inclusion of ways to reduce economic impacts on distressed populations in the community, including but not limited to low- and fixed-income populations. This requirement includes but is not limited to:
 - (a) Allowing adequate time in implementation schedules to mitigate potential adverse impacts on distressed populations resulting from the costs of the improvements and taking into consideration local community economic considerations; and
 - (b) Allowing for reasonable accommodations for regulated entities when inflexible standards and fines would impose a disproportionate financial hardship in light of the environmental benefits to be gained;
- (6) An assessment of other community investments and operating costs relating to environmental improvements and public health protection;
- (7) An assessment of factors set forth in the United States Environmental Protection Agency's guidance, including but not limited to the "Combined Sewer Overflow Guidance for Financial Capability Assessment and Schedule Development" that may ease the cost burdens of implementing wet weather control plans, including but not limited to small system considerations, the attainability of water quality standards, and the development of wet weather standards; and
- (8) An assessment of any other relevant local community economic condition.

5. Prescriptive formulas and measures used in determining financial capability, affordability, and

thresholds for expenditure, such as median household income, should not be considered to be the only indicator of a community's ability to implement control technology and shall be viewed in the context of other economic conditions rather than as a threshold to be achieved.

6. Reasonable time spent preparing draft affordability findings, allowing permittees to review draft affordability findings or draft permits, or revising draft affordability findings, shall be allowed in addition to the department's deadlines for making permitting decisions pursuant to section 644.051.

7. If the department of natural resources fails to make a finding of affordability where required by this section, then the resulting permit or decision shall be null, void and unenforceable.

8. The department of natural resources' findings under this section may be appealed to the commission pursuant to subsection 6 of section 644.051.

9. The department shall file an annual report by the beginning of the fiscal year with the governor, the speaker of the house of representatives, the president pro tempore of the senate, and the chairs of the committees in both houses having primary jurisdiction over natural resource issues showing at least the following information on the findings of affordability completed in the previous calendar year:

(1) The total number of findings of affordability issued by the department, those categorized as affordable, those categorized as not meeting the definition of affordable, and those implemented as a federal mandate regardless of affordability;

(2) The average increase in sewer rates both in dollars and percentage for all findings found to be affordable;

(3) The average increase in sewer rates as a percentage of median house income in the communities for those findings determined to be affordable and a separate calculation of average increases in sewer rates for those found not to meet the definition of affordable;

(4) A list of all the permit holders receiving findings, and for each permittee the following data taken from the finding of affordability shall be listed:

(a) Current and projected monthly residential sewer rates in dollars;

(b) Projected monthly residential sewer rates as a percentage of median [house] **household** income;

(c) Percentage of households at or below the state poverty rate.”; and

Further amend the title and enacting clause accordingly.

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 497, Page 4, Section 67.955, Line 11, by inserting immediately after all of said line the following “**Section 1. In any election for the board of directors of a community improvement district as established in sections 67.1401 to 67.1571, no person shall cast more than one ballot.**”

And further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Hegeman, **SB 497**, as amended, was declared perfected and ordered printed.

Senator Wieland moved that **SB 392** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Wieland, **SB 392** was declared perfected and ordered printed.

Senator Riddle moved that **SB 533** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Riddle, **SB 533** was declared perfected and ordered printed.

Senator Libla moved that **SB 373** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Libla offered **SS** for **SB 373**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 373

An Act to repeal section 311.730, RSMo, and to enact in lieu thereof two new sections relating to the establishment of the division of alcohol and tobacco control fund.

Senator Libla moved that **SS** for **SB 373** be adopted, which motion prevailed.

On motion of Senator Libla, **SS** for **SB 373** was declared perfected and ordered printed.

Senator Parson moved that **SB 364** be taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 364** was declared perfected and ordered printed.

Senator Dixon moved that **SB 463** be taken up for perfection, which motion prevailed.

Senator Kraus offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 463, Page 3, Section 135.1150, Lines 80-85, by striking all of said lines from the bill; and

Further amend said bill, page 6, section 135.1180, lines 78-89, by striking all of said lines from the bill.

Senator Kehoe assumed the Chair.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Dixon, **SB 463**, as amended, was declared perfected and ordered printed.

Senator Schaaf moved that **SB 53**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Schaaf, **SS** for **SB 53** was withdrawn.

Senator Schaaf offered **SS No. 2** for **SB 53**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 53

An Act to repeal section 197.318, RSMo, and to enact in lieu thereof one new section relating to certificate of need for long-term care facilities.

Senator Schaaf moved that **SS No. 2** for **SB 53** be adopted.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Bill No. 53, Page 1, In the Title, Lines 3-4, by striking the following: “certificate of need for long-term care facilities” and inserting in lieu thereof “health care”; and

Further amend said bill and page, section A, line 3 of said page, by inserting after all of said line the following:

“191.875. 1. This section shall be known as the “Health Care Cost Reduction and Transparency Act”.

2. As used in this section, the following terms shall mean:

(1) “Department”, the department of health and senior services;

(2) “DRG”, diagnosis related group;

(3) “Estimate of cost”, an estimate based on the information entered and assumptions about typical utilization and costs for health care services. Such estimates of cost shall encompass only those services within the direct control of the health care provider and shall include the following:

(a) The amount that will be charged to a patient for the health services if all charges are paid in full without a public or private third party paying for any portion of the charges;

(b) The average negotiated settlement on the amount that will be charged to a patient required to be provided in paragraph (a) of this subdivision;

(c) The amount of any MO HealthNet reimbursement for the health care services, including claims and pro rata supplemental payments, if known;

(d) The amount of any Medicare reimbursement for the medical services, if known; and

(e) The amount of any insurance copayments for the health benefit plan of the patient, if known;

(4) “Health care provider”, any ambulatory surgical center, assistant physician, chiropractor, clinical psychologist, dentist, hospital, long-term care facility, nurse anesthetist, optometrist, pharmacist, physical therapist, physician, physician assistant, podiatrist, registered nurse, or other licensed health care facility or professional providing health care services in this state;

(5) “Health carrier”, an entity as such term is defined under section 376.1350;

(6) “Hospital”, as such term is defined under section 197.020;

(7) “Insurance costs”, an estimate of cost of covered services provided by a health carrier based on a specific insured’s coverage and health care services to be provided. Such insurance cost shall include:

(a) The average negotiated reimbursement amount to any health care provider;

(b) Any deductibles, copayments, or coinsurance amounts, including those whose disclosure is mandated under section 376.446; and

(c) Any amounts not covered under the health benefit plan;

(8) “Public or private third party”, a state government, the federal government, employer, health carrier, third-party administrator, or managed care organization.

3. On or after July 1, 2016, any patient or consumer of health care services who makes a written request for an estimate of the cost of health care services from a health care provider shall be provided such estimate no later than five business days after receiving such request, except when the requested information is posted on the department’s website under subsection 8 of this section. Any patient or consumer of health care services who makes a written request for the insurance costs from such patient’s or consumer’s health carrier shall be provided such insurance costs no later than five business days after receiving such request. The provisions of this subsection shall not apply to emergency health care services.

4. Health care providers, and the department under subsection 8 of this section, shall include with any estimate of costs the following: “Your estimated cost is based on the information entered and assumptions about typical utilization and costs. The actual amount billed to you may be different from the estimate of costs provided to you. Many factors affect the actual bill you will receive, and this estimate of costs does not account for all of them. Additionally, the estimate of costs is not a guarantee of insurance coverage. You will be billed at the health care provider’s charge for any service provided to you that is not a covered benefit under your plan. Please check with your insurance company to receive an estimate of the amount you will owe under your plan or if you need help understanding your benefits for the service chosen.”.

5. Health carriers shall include with any insurance costs the following: “Your insurance costs are based on the information entered and assumptions about typical utilization and costs. The actual amount of insurance costs and the amount billed to you may be different from the insurance costs provided to you. Many factors affect the actual insurance costs, and the insurance costs provided do not account for all of them. Additionally, the insurance costs provided are limited to the specific information provided and are not a guarantee of insurance coverage for additional services. You will be billed at the health care provider’s charge for any service provided to you that is not a covered benefit under your plan. You may contact us if you need further assistance in understanding your benefits for the service chosen.”.

6. Each health care provider shall also make available the percentage or amount of any discounts for cash payment of any charges incurred through the health care provider’s website or by making it available at the health care provider’s location.

7. Nothing in this section shall be construed as violating any health care provider contract provisions with a health carrier that prohibit disclosure of the health care provider’s fee schedule with a health carrier to third parties.

8. The department of health and senior services shall make available to the public on its website the most current price information it receives from hospitals under subsections 9 and 10 of this section. The department shall provide this information in a manner that is easily understood by the public and meets the following minimum requirements:

(1) Information for each participating hospital shall be listed separately and hospitals shall be listed in groups by category as determined by the department in rules adopted under this section;

(2) Information for each hospital outpatient department shall be listed separately.

9. Beginning with the quarter ending June 30, 2016, and quarterly thereafter, each participating hospital shall provide to the department, in the manner and format determined by the department, the following information about the one hundred most frequently reported admissions by DRG for inpatients as established by the department:

(1) The amount that will be charged to a patient for each DRG if all charges are paid in full without a public or private third party paying for any portion of the charges;

(2) The average negotiated settlement on the amount that will be charged to a patient required to be provided in subdivision (1) of this subsection;

(3) The amount of MO HealthNet reimbursement for each DRG, including claims and pro rata supplemental payments; and

(4) The amount of Medicare reimbursement for each DRG.

A hospital shall not report or be required to report the information required by this subsection for any of the one hundred most frequently reported admissions where the reporting of that information reasonably could lead to the identification of the person or persons admitted to the hospital in violation of the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) or other federal law.

10. Beginning with the quarter ending June 30, 2016, and quarterly thereafter, each participating hospital shall provide to the department, in a manner and format determined by the department, information on the total costs for the twenty most common outpatient surgical procedures and the twenty most common imaging procedures, by volume, performed in hospital outpatient settings. Participating hospitals shall report this information in the same manner as required by subsection 9 of this section, provided that hospitals shall not report or be required to report the information required by this subsection where the reporting of that information reasonably could lead to the identification of the person or persons admitted to the hospital in violation of HIPAA or other federal law.

11. A hospital shall provide the information specified under subsection 9 and 10 of this section to the department. A hospital which does so shall not be required to provide that information pursuant to subsection 3 of this section.

12. Any data disclosed to the department by a hospital under subsections 9 and 10 of this section shall be the sole property of the hospital that submitted the data. Any data or product derived from the data disclosed under subsections 9 and 10 of this section, including a consolidation or analysis of the data, shall be the sole property of the state. Any proprietary information received by the department shall be a proprietary interest and may be closed under the provisions of subdivision (15) of section 610.021. The department shall not allow information it receives or discloses under subsections 9 and 10 of this section to be used by any person or entity for commercial purposes.

13. The department shall promulgate rules to implement the provisions of this section. The rules relating to subsections 8 to 12 of this section shall include all of the following:

(1) The one hundred most frequently reported DRGs for inpatients for which participating

hospitals will provide the data required under subsection 9 of this section;

(2) Specific categories by which hospitals shall be grouped for the purpose of disclosing this information to the public on the department's website; and

(3) The twenty most common outpatient surgical procedures and the twenty most common imaging procedures, by volume, performed in a hospital outpatient setting required under subsection 10 of this section.

Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator Schaaf raised the point of order that **SA 1** is out of order as it goes beyond the scope of the bill.

The point of order was referred to the President Pro Tem, who ruled it well taken.

At the request of Senator Schaaf, **SB 53**, with **SS No. 2** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Schmitt moved that the Senate refuse to concur in **HCS** for **SS** for **SCS** for **SB 5**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 458, introduced by Representative Allen, with **SCS**, entitled:

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to school safety.

Was taken up by Senator Schmitt.

SCS for **HB 458**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 458

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to school safety.

Was taken up.

Senator Schmitt offered **SS** for **SCS** for **HB 458**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 458

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to school safety.

Senator Schmitt moved that **SS** for **SCS** for **HB 458** be adopted.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 458, Page 6, Section 160.775, Line 10 by inserting after the word “personnel” the following: “, **students**,”

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 458, Page 6, Section 160.775, Line 26, by inserting immediately after said line the following:

“170.047. 1. Beginning in the 2016-2017 school year, any licensed educator may annually complete up to two hours of training or professional development in youth suicide awareness and prevention as part of the professional development hours required for state board of education certification.

2. The department of elementary and secondary education shall develop guidelines suitable for training or professional development in youth suicide awareness and prevention. The department shall develop materials that may be used for such training or professional development.

3. For purposes of this section, the term “licensed educator” shall refer to any teacher with a certificate of license to teach issued by the state board of education or any other educator or administrator required to maintain a professional license issued by the state board of education.

4. The department of elementary and secondary education may promulgate rules and regulations to implement this section.

5. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.

170.048. 1. By July 1, 2017, each district shall adopt a policy for youth suicide awareness and prevention, including the training and education of district employees.

2. Each district’s policy shall address, but need not be limited to the following:

- (1) Strategies that can help identify students who are at possible risk of suicide;
- (2) Strategies and protocols for helping students at possible risk of suicide; and
- (3) Protocols for responding to a suicide death.

3. By July 1, 2016, the department of elementary and secondary education shall develop a model policy that districts may adopt. When developing the model policy, the department shall cooperate, consult with, and seek input from organizations that have expertise in youth suicide awareness and prevention. By July 1, 2020, and at least every three years thereafter, the department shall request information and seek feedback from districts on their experience with the policy for youth suicide awareness and prevention. The department shall review this information and may use it to adapt the department's model policy. The department shall post any information on its website that it has received from districts that it deems relevant. The department shall not post any confidential information or any information that personally identifies any student or school employee.; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 458, Page 1, Section 160.775, Line 14, by inserting immediately after the word "Bullying" the following: "**by students**"; and further amend said line by striking "by students".

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 458, Page 2, Section 160.775, Line 7, by inserting an opening bracket "[" immediately before the word "and"; and further amend line 9 by inserting a closing bracket "]" immediately after the word "treatment".

Senator Sifton moved that the above amendment be adopted, which motion failed.

Senator Chappelle-Nadal offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 458, Page 6, Section 160.775, Line 26, by inserting after all of said line the following:

"210.861. 1. When the tax prescribed by section 210.860 or section 67.1775 is established, the governing body of the city or county or city not within a county shall appoint a board of directors consisting of nine members, who shall be residents of the city or county or city not within a county. All board members shall be appointed to serve for a term of three years, except that of the first board appointed, three members shall be appointed for one-year terms, three members for two-year terms and three members for three-year terms. Board members may be reappointed. In a city not within a county, or any county of the first

classification with a charter form of government with a population not less than nine hundred thousand inhabitants, or any county of the first classification with a charter form of government with a population not less than two hundred thousand inhabitants and not more than six hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than one hundred seventy thousand and not more than two hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than eighty thousand and not more than eighty-three thousand inhabitants, or any third classification county with a population not less than twenty-eight thousand and not more than thirty thousand inhabitants, or any county of the third classification with a population not less than nineteen thousand five hundred and not more than twenty thousand inhabitants the members of the community mental health board of trustees appointed pursuant to the provisions of sections 205.975 to 205.990 shall be the board members for the community children's services fund. The directors shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses.

2. The board shall elect a chairman, vice chairman, treasurer, and such other officers as it deems necessary for its membership. Before taking office, the treasurer shall furnish a surety bond, in an amount to be determined and in a form to be approved by the board, for the faithful performance of his or her duties and faithful accounting of all moneys that may come into his or her hands. The treasurer shall enter into the surety bond with a surety company authorized to do business in Missouri, and the cost of such bond shall be paid by the board of directors. The board shall administer and expend all funds generated pursuant to section 210.860 or section 67.1775 in a manner consistent with this section.

3. The board may contract with public or not-for-profit agencies licensed or certified where appropriate to provide qualified services and may place conditions on the use of such funds. The board shall reserve the right to audit the expenditure of any and all funds. The board and any agency with which the board contracts may establish eligibility standards for the use of such funds and the receipt of services. No member of the board shall serve on the governing body, have any financial interest in, or be employed by any agency which is a recipient of funds generated pursuant to section 210.860 or section 67.1775.

4. Revenues collected and deposited in the community children's services fund may be expended for the purchase of the following services:

(1) Up to thirty days of temporary shelter for abused, neglected, runaway, homeless or emotionally disturbed youth; respite care services; and services to unwed mothers;

(2) Outpatient chemical dependency and psychiatric treatment programs; counseling and related services as a part of transitional living programs; home-based and community-based family intervention programs; unmarried parent services; crisis intervention services, inclusive of telephone hotlines; and prevention programs which promote healthy lifestyles among children and youth and strengthen families;

(3) Individual, group, or family professional counseling and therapy services; psychological evaluations; and mental health screenings.

5. Revenues collected and deposited in the community children's services fund may not be expended for inpatient medical, psychiatric, and chemical dependency services, or for transportation services.

6. (1) In fiscal years 2016 and 2017, in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants that contains all or any portion of a school district that has been designated as unaccredited or provisionally accredited by the state board of education, up to five percent of the service fund's yearly revenues, based on the total dollar amount needed to

provide services as determined by a needs assessment, shall be devoted to a grant program that delivers services directly to schools in such districts according to the procedure in this subsection. The president of the school board shall notify the board of directors within five business days after such designation. The board shall, in its budget process for the following fiscal year, ensure that the total amount of funds needed to provide services based on the needs assessment is allocated according to this subsection, not to exceed five percent of the service fund's yearly revenues. If the total amount of funds needed to provide such services exceeds five percent of the service fund's yearly revenues, the funds shall be distributed in an order based on the greatest need for each district. Any moneys distributed from the fund to a district shall be subject to an annual audit.

(2) The board shall undertake a needs assessment for any such school district within ninety days after receipt of the notice under this subsection. The needs assessment shall be used as a basis for comprehensive mental health wraparound services delivery for which the board shall contract as provided under subsection 3 of this section.

(3) The board shall appoint one of its members to a direct school service coordinating committee, which is hereby created. The board may appoint an additional one of its members to serve as an ex-officio member. The board shall appoint a social worker to the committee. The school board of each affected district shall appoint two parents with a child enrolled in a public school in the district based on school district identification numbers from the department of elementary and secondary education, rotating year to year from highest number to lowest number. The school board of each affected district shall appoint a school services staff member. The superintendent of each affected district shall serve on the committee. An additional member from each affected district may be appointed to serve as an ex-officio member.

(4) The direct school service coordinating committee shall provide recommendations and oversight to the program of contracted services under this subsection.

(5) If an additional district becomes unaccredited or provisionally accredited in the service area of the children's services fund, the general assembly shall review the percentage of revenue dedicated to the grant program for a possible increase.

(6) The provisions of this subsection shall terminate on June 30, 2017.”; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt moved that **SS** for **SCS** for **HB 458**, as amended, be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SCS** for **HB 458**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 364**; **SS** for **SB 373**; **SB 392**; **SB 392**; **SB 497**; **SB 533**; and **SB 463**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1312**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the classification of tax credits by the department of economic development.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 884**, entitled:

An Act to amend chapter 205, RSMo, by adding thereto one new section relating to investments made by county hospitals.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 519**, entitled:

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to administrative leave for state employees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 375**, entitled:

An Act to repeal sections 537.345 and 537.348, RSMo, and to enact in lieu thereof two new sections relating to liability for landowners.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1039**, entitled:

An Act to repeal section 115.761, RSMo, and to enact in lieu thereof one new section relating to filing fees for presidential elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 422**, entitled:

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to opinions issued by boards or commissions under the division of professional registration.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 571**, entitled:

An Act to repeal section 535.300, RSMo, and to enact in lieu thereof one new section relating to tenant security deposits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 634**, entitled:

An Act to repeal sections 324.001 and 621.280, RSMo, and to enact in lieu thereof two new sections relating to the division of professional registration.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 658**, entitled:

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to recognition for student participation in the Constitution Project of the Missouri Supreme Court.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1184**, entitled:

An Act to repeal sections 262.960, 262.962, and 348.407, RSMo, and to enact in lieu thereof three new sections relating to the farm-to-table act, with a delayed effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1243**, entitled:

An Act to repeal section 376.2004, RSMo, and to enact in lieu thereof one new section relating to health exchange navigator licensing.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 7**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 39(a)

of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to bingo.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1318**, entitled:

An Act to repeal sections 313.055 and 313.040, RSMo, and to enact in lieu thereof one new section relating to bingo, with a contingent effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 120**, entitled:

An Act to amend chapters 173 and 285, RSMo, by adding thereto two new sections relating to employee password protection.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 844**, entitled:

An Act to repeal sections 8.683 and 8.685, RSMo, and to enact in lieu thereof five new sections relating to construction management.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 742**, entitled:

An Act to repeal sections 160.514, 161.855, 161.960, and 161.965 RSMo, and to enact in lieu thereof four new sections relating to elementary and secondary education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 933, regarding Lu Ann Basler, Sainte Genevieve, which

was adopted.

Senator Romine offered Senate Resolution No. 934, regarding Dorcas Grass, Sainte Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 935, regarding Peggy Hitt, Advance, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Schupp introduced to the Senate, her husband, Mark, Creve Coeur.

Senator Schupp introduced to the Senate, Allison VanBuren, and her mother, Kim, Maryland Heights.

Senator Riddle introduced to the Senate, Brooke Kelley, and her parents, Patricia Miller and Kevin Kelly, New Bloomfield.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-NINTH DAY—TUESDAY, APRIL 28, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HBs 671 & 683

HCS for HB 137

HB 324-Shumake

HCS for HB 830

HCS for HB 583

HCS for HB 762

HCS for HB 1066

HCS for HB 198

HCS for HB 1312

HCS for HB 884

HCS for HB 519

HCS for HB 375

HB 1039-Dugger

HCS for HB 422

HB 571-Burlison

HCS for HB 634

HCS for HB 658

HCS for HB 1184

HCS for HB 1243

HCS for HJR 7

HCS for HB 1318

HCS for HB 120

HCS for HB 844

HCS for HB 742

THIRD READING OF SENATE BILLS

1. SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)

2. SCS for SB 56-Munzlinger
(In Fiscal Oversight)

- | | |
|--|------------------------|
| 3. SS for SB 201-Dixon (In Fiscal Oversight) | 9. SS for SB 373-Libla |
| 4. SB 203-Dixon (In Fiscal Oversight) | 10. SB 392-Wieland |
| 5. SB 200-Dixon (In Fiscal Oversight) | 11. SB 497-Hegeman |
| 6. SB 352-Schaefer (In Fiscal Oversight) | 12. SB 533-Riddle |
| 7. SB 377-Schatz (In Fiscal Oversight) | 13. SB 463-Dixon |
| 8. SB 364-Parson | |

HOUSE BILLS ON THIRD READING

- | | |
|---|--|
| 1. HCS for HJR 34, with SCS (Schmitt)
(In Fiscal Oversight) | 6. HCS for HB 299, with SCS (Kraus)
(In Fiscal Oversight) |
| 2. HCS for HB 882-McGaugh, with SCS
(Munzlinger) (In Fiscal Oversight) | 7. HCS for HBs 517 & 754, with SCS
(In Fiscal Oversight) |
| 3. HCS for HB 587-Dugger (Wasson)
(In Fiscal Oversight) | 8. HB 589-Hough, with SCS (Onder)
(In Fiscal Oversight) |
| 4. HB 615-Dohrman, with SCS (Schatz)
(In Fiscal Oversight) | 9. HB 524-Dugger (Cunningham)
(In Fiscal Oversight) |
| 5. HCS for HB 709, with SCS (Parson)
(In Fiscal Oversight) | 10. HB 271-Hoskins (Dixon) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 17-Dixon | SB 117-Brown, with SCS |
| SB 37-Romine, with SCS & SA 1 (pending) | SB 127-Brown, with SCS |
| SB 44-Nasheed, with SCS | SB 130-Walsh and Schupp, with SCS |
| SB 46-Holsman | SB 151-Sater |
| SB 53-Schaaf, with SS#2 (pending) | SB 159-Parson |
| SB 55-Munzlinger | SB 167-Schaaf, with SCS |
| SB 59-Dixon | SB 177-Munzlinger, with SCS |
| SB 69-LeVota, with SCS | SBs 199, 417 & 42-Dixon, et al, with
SCS, SS for SCS & SA 1 (pending) |
| SB 80-Dixon, with SCS | SB 220-Kehoe |
| SB 91-Dixon, with SCS | SB 225-Romine, with SCS |
| SBs 112, 212, 143 & 234-Dixon, with SCS | |

SB 227-Emery, with SS (pending)	SB 400-Onder, with SS (pending)
SB 232-Kehoe, with SCS (pending)	SB 409-Wallingford, with SCS
SB 233-Kehoe, with SCS & SA 2 (pending)	SB 420-Schmitt
SB 266-Schaefer, with SCS	SB 424-Pearce, with SA 1 (pending)
SB 267-Schaefer, with SCS	SB 427-Sifton, with SCS
SB 268-Pearce, with SCS	SB 432-Onder, with SCS
SB 286-Schaaf and Silvey	SB 442-Schaefer
SB 299-Pearce	SBs 451, 307, 100 & 165-Dixon, with SCS
SB 302-Riddle, with SCS (pending)	SB 452-Schmitt, et al, with SA 1 & point of order (pending)
SB 304-Keaveny, with SCS	SB 455-Kehoe
SB 305-Onder	SB 469-Munzlinger
SB 313-Wallingford, with SCS	SB 471-Schaaf
SBs 331 & 21-Libla, with SCS & SS for SCS (pending)	SB 481-Onder, with SCS
SB 339-Munzlinger, with SS (pending)	SB 520-Kehoe, with SCS
SB 358-Kehoe	SB 528-Sater
SB 360-Parson, with SCS	SB 540-Libla, with SS (pending)
SB 371-Munzlinger	SB 567-Chappelle-Nadal, et al
SB 372-Keaveny, with SCS (pending)	SJR 7-Richard and Wallingford
SB 374-Schatz, with SCS	SJR 12-Onder, with SCS (pending)
SB 399-Onder	

HOUSE BILLS ON THIRD READING

HCS for HB 50, with SCS (Parson)	HB 531-Solon (Riddle)
HB 92-Miller (Kehoe)	HB 533-Dugger, with SCS (Wasson)
HB 108-McCaherty (Dixon)	HB 556-Wood, with SCS (Riddle)
HB 111-Crawford (Cunningham)	HB 629-Leara (Silvey)
HB 152-Haahr, with SCS (Onder)	HCS for HB 722 (Kehoe)
HB 190-Swan (Wallingford)	HCS for HB 777 (Kraus)
HB 336-McGaugh (Kraus)	HB 836-Ross (Libla)
HB 501-Montecillo (Brown)	HB 878-Rhoads, with SCS (Libla)
HB 514-Leara (Schmitt)	HJR 1-Dugger (Kraus)

CONSENT CALENDAR

House Bills

Reported 4/9

HB 125-Black (Romine)

Reported 4/15

HB 41-Wood, with SCS (Kehoe)	HB 874-Remole (Munzlinger)
HB 511-Mathews (Schatz)	HB 1116-Rehder (Libla)
HB 88-Walton Gray (Walsh)	HB 1119-Redmon (Hegeman)
HB 326-Leara (Kehoe)	HB 1052-Miller (Wasson)
HB 361-Spencer (Riddle)	HB 1098-Crawford, with SCS (Kraus)
HB 400-Peters (Walsh)	HB 391-Gosen (Parson)
HB 402-Phillips (Sater)	HB 343-Lair, with SCS (Wieland)
HB 403-Phillips, with SCS (Sater)	HB 947-Wiemann, with SCS (Wallingford)
HB 404-Phillips (Sater)	HB 179-Chipman (Brown)
HB 567-Dunn (Curls)	HB 269-Miller (Kehoe)
HB 778-Ruth (Romine)	HB 650-Cornejo (Schaefer)
HB 859-Dunn (Curls)	HB 869-Solon (Schatz)
HB 861-Fitzwater (49) (Wasson)	

SENATE BILLS WITH HOUSE AMENDMENTS

SB 221-Schatz, with HCS

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1, HA 2, as amended, HA 3, as amended & HA 4	SCS for SB 152-Wallingford, with HCS, as amended (CCR Offered)
SB 104-Kraus, with HCS, as amended (CCR Offered)	HCS for HB 42 with SCS, as amended (Pearce)

Requests to Recede or Grant Conference

SS for SCS for SB 5-Schmitt, with HCS,
as amended (Senate requests House
recede or grant conference)

RESOLUTIONS

Reported from Committee

HCR 34-Rowland (Cunningham)

To be Referred

SCR 40-Romine

✓

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-NINTH DAY—TUESDAY, APRIL 28, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Train yourself in godliness, for while physical training is of some value, godliness is valuable in every way...” (I Timothy 4:8)

Almighty God, Your words are an abrupt call to us as a reminder of what is required for a disciplined, godly life. We would ask that You nurture our souls in faith and give us hearts that long for the things that You will bless. And, may we do what we can to alleviate suffering, and provide justice and peace for the people of Baltimore and Ferguson, making You the center of all our actions. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Photographers from the KRCG-TV were given permission to take pictures in the Senate Chamber.

Senator Dempsey requested unanimous consent of the Senate to grant former Miss Missouri, Lori Bartlett and her daughter, Chloe Bartlett to ascend the dais for the purpose of singing “God Bless America”, which request was granted.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 936, regarding Miles Sommer, which was adopted.

Senator Munzlinger offered Senate Resolution No. 937, regarding Harry and Judy Hall, Moberly, which was adopted.

Senator Brown offered Senate Resolution No. 938, regarding Jesse Liu, which was adopted.

Senator Schupp offered Senate Resolution No. 939, regarding Katie Jo Walkley, Grain Valley, which was adopted.

Senator Wasson offered Senate Resolution No. 940, regarding Christian County Elks Lodge 2777, Ozark, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 24**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 17 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits for statewide offices.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 322**, entitled:

An Act to repeal sections 43.535 and 43.543, RSMo, and to enact in lieu thereof two new sections relating to criminal background checks, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 867**, entitled:

An Act to amend chapters 9 and 191, RSMo, by adding thereto seven new sections relating to health care, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 694**, entitled:

An Act to repeal sections 301.010, 301.067, and 301.227, RSMo, and to enact in lieu thereof three new sections relating to the registration of motor vehicles.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1024**, entitled:

An Act to repeal sections 8.016, 8.051, 8.110, 8.172, and 8.177, RSMo, and to enact in lieu thereof six new sections relating to the commission on capitol security infrastructure.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 199**, **SB 417** and **SB 42**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Chappelle-Nadal, **SA 1** was withdrawn.

Senator Chappelle-Nadal offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 199, 417 and 42, Page 1, Section A, Line 6, by inserting immediately after said line the following:

“537.570. Every person who, under color of any statute, ordinance, regulation, custom, or usage, of the state of Missouri or any political subdivision thereof subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Missouri Constitution and laws of this state, or interferes or attempts to interfere, by threats, intimidation or coercion, with the exercise or enjoyment by any other person of rights secured by article I of the Missouri Constitution, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress. A party injured by a violation of this section may bring a private civil action to enforce their rights under this section. The attorney general shall be authorized to bring a civil action on behalf of a party injured pursuant to this section.”; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Kraus assumed the Chair.

Senator Brown offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 199, 417 and 42, Page 4, Section 563.046, Line 8, by inserting immediately after all of said line the following:

“Section 1. Notwithstanding any provision of chapter 571 to the contrary, any person, regardless of whether the person possesses a concealed carry permit, shall be authorized to carry a concealed firearm on or about his or her person or within a vehicle throughout the state.”; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted.

At the request of Senator Dixon, **SS** for **SCS** for **SBs 199, 417 and 42** was withdrawn.

Senator Dixon offered **SS No. 2** for **SCS**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 199, 417 and 42

An Act to repeal section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, RSMo, and to enact in lieu thereof one new section relating to the use of deadly force by law enforcement officers, with an emergency clause for a certain section and an effective date for a certain section.

Senator Dixon moved that **SS No. 2** for **SCS** for **SBs 199, 417 and 42** be adopted.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 199, 417 and 42, Page 1, In the Title, Lines 7-8, by striking the following: “the use of deadly force by law enforcement officers” and inserting in lieu thereof the following: “actions committed by government officials”; and

Further amend said bill, page 1, section A, line 6 of said page, by inserting after all of said line the following:

“537.570. Every person who, under color of any statute, ordinance, regulation, custom, or usage, of the state of Missouri or any political subdivision thereof subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Missouri Constitution and laws of this state, or interferes or attempts to interfere, by threats, intimidation or coercion, with the exercise or enjoyment by any other person of rights secured by article I of the Missouri Constitution, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress. A party

injured by a violation of this section may bring a private civil action to enforce their rights under this section. The attorney general shall be authorized to bring a civil action on behalf of a party injured pursuant to this section.”; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

Senator Nasheed offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bills Nos. 199, 417 and 42, Page 2, Section 563.046, Lines 19-20 of said page, by striking “reasonably believes” and inserting in lieu thereof the following: “**has probable cause to believe**”; and

Further amend said bill, page 3, section 563.046, line 26 of said page, by striking “reasonably believes” and inserting in lieu thereof the following: “**has probable cause to believe**”.

Senator Nasheed moved that the above amendment be adopted, which motion failed.

Senator Dixon moved that **SS No. 2** for **SCS** for **SBs 199, 417 and 42**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SS No. 2** for **SCS** for **SBs 199, 417 and 42**, as amended, was declared perfected and ordered printed.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SB 373** to the Committee on Governmental Accountability and Fiscal Oversight.

President Pro Tem Dempsey referred **SCR 40** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS** for **HB 615**; **SCS** for **HCS** for **HB 299**; **SCS** for **HCS** for **HBs 517 and 754**; **HCS** for **HB 587**; **SCS** for **HB 589**; **SCS** for **HCS** for **HB 709**; **HB 524**; **SB 377**; and **SB 200**, begs leave to report that it has considered the same and recommends that the bills do pass.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SCS** for **SB 5**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 202**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to fees for optometric and ophthalmic services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 476**, entitled:

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to state funding for small school districts, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 842**, entitled:

An Act to repeal section 311.730, RSMo, and to enact in lieu thereof four new sections relating to alcohol, with a penalty provision and an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 2** for **SCS** for **SBs 199, 417** and **42**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 209**, entitled:

An Act to repeal sections 595.010, 595.015, and 595.030, RSMo, and to enact in lieu thereof three new sections relating to crime victim compensation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1023**, entitled:

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to the development of school quality.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 389**, entitled:

An Act to amend chapter 32, RSMo, by adding thereto one new section relating to tax collection.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 627**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to infrastructure investment.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 101**, entitled:

An Act to amend chapter 144, RSMo, by adding thereto one new section relating to taxation of utilities used in food preparation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

PRIVILEGED MOTIONS

Senator Schatz moved that **SB 221**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 221**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 221

An Act to repeal sections 66.620, 72.150, and 72.401, RSMo, and to enact in lieu thereof four new sections relating to political subdivisions.

Was taken up.

Senator Schatz moved that **HCS** for **SB 221** be adopted.

Senator Walsh offered a substitute motion that the Senate refuse to concur in **HCS** for **SB 221** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon.

Senator Pearce assumed the Chair.

Senator Kehoe assumed the Chair.

At the request of Senator Schatz, the motion to adopt **HCS** for **SB 221** was withdrawn, rendering the substitute motion moot.

On motion of Senator Richard, the Senate recessed until 8:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Dempsey.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 68**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 231**, entitled:

An Act to repeal sections 142.815, 144.030, and 306.100, RSMo, and to enact in lieu thereof three new sections relating to watercraft.

With House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, as amended.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Bill No. 231 Page 1, Lines 5-6, by deleting the words **“rents or provides the opportunity to the public to use any watercraft on the state’s streams or rivers”** and inserting in lieu thereof the following:

“which is a registered member of the Missouri Canoe and Floaters Association”; and

Further amend said amendment and page, Line 16, by deleting the phrase “; and” and inserting immediately after said line the following:

“5. The water patrol division shall distribute the informational brochures developed under this section to all county commissioners in this state.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 231, Page 15, Section 306.100, Line 95, by inserting after all of said section and line the following:

“306.910. 1. For purposes of this section, the following terms shall mean:

(1) “Outfitter”, any individual, group, corporation, or other business entity which rents or provides the opportunity to the public to use any watercraft on the state’s streams or rivers;

(2) “Water patrol division”, the water patrol division of the state highway patrol;

(3) “Watercraft”, any canoe, kayak, raft, innertube, or other flotation device propelled by the use of paddles, oars, or other nonmotorized means of propulsion.

2. By January 1, 2016, the water patrol division shall develop an informational brochure regarding the laws, regulations, and associated penalties relating to recreational water use as they pertain to individuals participating in the recreational use of the state’s streams or rivers.

3. The water patrol division shall distribute the informational brochures developed under this section to all campgrounds and outfitters that rent or provide watercraft for use on a stream or river.

4. No more than one hundred thousand dollars shall be expended on the development and printing of the informational brochure under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SBs 34 and 105**, entitled:

An Act to repeal sections 115.135, 115.275, 115.277, 115.279, 115.283, 115.287, 115.291, 115.912, and 115.940, RSMo, and to enact in lieu thereof eight new sections relating to military and overseas voter registration, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 254**, entitled:

An Act to repeal sections 301.142 and 301.3097, RSMo, and to enact in lieu thereof two new sections relating to license plates.

With House Amendment Nos. 1, 2, 3 and 4.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 254, Page 1, In the Title, Line 3, by deleting the phrase “license plates” and inserting in lieu thereof “motor vehicles”; and

Further amend said bill, Page 7, Section 301.3142, Line 217, by inserting immediately after said section and line the following:

“301.196. 1. Beginning January 1, 2006, except as otherwise provided in this section, the transferor of an interest in a motor vehicle or trailer listed on the face of a Missouri title, excluding salvage titles and junking certificates, shall notify the department of revenue of the transfer within thirty days of the date of transfer. The notice shall be in a form determined by the department by rule and shall contain:

(1) **The name of the transferor and transferee;**

(2) A description of the motor vehicle or trailer sufficient to identify it;

[(2)] (3) The vehicle identification number of the motor vehicle or trailer;

[(3)] (4) The name and address of the transferee;

[(4)] (5) The date of birth of the transferee, unless the transferee is not a natural person;

[(5)] (6) The date of the transfer or sale;

[(6)] (7) The purchase price of the motor vehicle or trailer, if applicable;

[(7)] (8) The number of the transferee’s drivers license, unless the transferee does not have a drivers license;

[(8) The printed name and signature] (9) **The transferor’s electronic signature if transmitted electronically or the signatures of the transferee and transferor if not submitted electronically. For the purposes of this section, “transmitted electronically” shall have the same meaning as an electronic signature as defined in section 432.205;**

[(9)] (10) Any other information required by the department by rule.

2. A notice of sale substantially complying with the requirements of this section is effective even though it contains minor errors which are not materially misleading.

3. For purposes of giving notice under this section, if the transfer occurs by operation of law, the

personal representative, receiver, trustee, sheriff, or other representative or successor in interest of the person whose interest is transferred shall be considered the transferor. Repossession by a creditor shall not be considered a transfer of ownership requiring such notice.

[3.] **4.** The requirements of this section shall not apply to transfers when there is no complete change of ownership interest or upon award of ownership of a motor vehicle or trailer made by court order, or transfers of ownership of a motor vehicle or trailer to or between vehicle dealers, or transfers of ownership of a motor vehicle or trailer to an insurance company due to a theft or casualty loss, or transfers of beneficial ownership of a motor vehicle owned by a trust.

[4.] **5.** Notification under this section is only required for transfers of ownership that would otherwise require registration and an application for certificate of title in this state under section 301.190, and is for informational purposes only and does not constitute an assignment or release of any interest in the vehicle.

[5.] **6.** Retail sales made by licensed dealers including sales of new vehicles shall be reported pursuant to the provisions of section 301.280.”; and

Further amend said bill, Page 8, Section 301.3097, Line 26, by inserting immediately after said section and line the following:

“302.010. Except where otherwise provided, when used in this chapter, the following words and phrases mean:

(1) “Circuit court”, each circuit court in the state;

(2) “Commercial motor vehicle”, a motor vehicle designed or regularly used for carrying freight and merchandise, or more than fifteen passengers;

(3) “Conviction”, any final conviction; also a forfeiture of bail or collateral deposited to secure a defendant’s appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction, except that when any conviction as a result of which points are assessed pursuant to section 302.302 is appealed, the term “conviction” means the original judgment of conviction for the purpose of determining the assessment of points, and the date of final judgment affirming the conviction shall be the date determining the beginning of any license suspension or revocation pursuant to section 302.304;

(4) “Criminal history check”, a search of criminal records, including criminal history record information as defined in section 43.500, maintained by the Missouri state highway patrol in the Missouri criminal records repository or by the Federal Bureau of Investigation as part of its criminal history records, including, but not limited to, any record of conviction, plea of guilty or nolo contendere, or finding of guilty in any state for any offense related to alcohol, controlled substances, or drugs;

(5) “Director”, the director of revenue acting directly or through the director’s authorized officers and agents;

(6) “Farm tractor”, every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry;

(7) “Highway”, any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways, or alleys in any municipality;

(8) “Incompetent to drive a motor vehicle”, a person who has become physically incapable of meeting

the prescribed requirements of an examination for an operator's license, or who has been adjudged by a probate division of the circuit court in a capacity hearing of being incapacitated;

(9) "License", a license issued by a state to a person which authorizes a person to operate a motor vehicle;

(10) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks except motorized bicycles, as defined in section 307.180;

(11) "Motorcycle", a motor vehicle operated on two wheels; however, this definition shall not include motorized bicycles as defined in section 301.010;

(12) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle operated with any conveyance, temporary or otherwise, requiring the use of a third wheel;

(13) "Moving violation", that character of traffic violation where at the time of violation the motor vehicle involved is in motion, except that the term does not include the driving of a motor vehicle without a valid motor vehicle registration license, or violations of sections 304.170 to 304.240, inclusive, relating to sizes and weights of vehicles;

(14) "Municipal court", every division of the circuit court having original jurisdiction to try persons for violations of city ordinances;

(15) "Nonresident", every person who is not a resident of this state;

(16) "Operator", every person who is in actual physical control of a motor vehicle upon a highway;

(17) "Owner", a person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of sections 302.010 to 302.540;

(18) "Record" includes, but is not limited to, papers, documents, facsimile information, microphotographic process, electronically generated or electronically recorded information, digitized images, deposited or filed with the department of revenue;

(19) "Residence address", "residence", or "resident address" shall be the location at which a person has been physically present, and that the person regards as home. A residence address is a person's true, fixed, principal, and permanent home, to which a person intends to return and remain, even though currently residing elsewhere;

(20) "Restricted driving privilege", a **sixty-day** driving privilege issued by the director of revenue following a suspension of driving privileges for the limited purpose of driving in connection with the driver's business, occupation, employment, formal program of secondary, postsecondary or higher education, or for an alcohol education or treatment program or certified ignition interlock provider, **or a ninety-day 'interlock restricted privilege' issued by the director of revenue for the limited purpose of driving in connection with the driver's business, occupation, employment, seeking medical treatment for such driver or a dependent family member, attending school or other institution of higher education, attending alcohol or drug treatment programs, seeking the required services of a certified ignition interlock provider, fulfilling court obligations, including required appearances and**

probation and parole obligations, religious services, the care of a child or children, including scheduled visitation or custodial obligations pursuant to a court order, fueling requirements for any vehicle utilized, and seeking basic nutritional requirements;

(21) “School bus”, when used in sections 302.010 to 302.540, means any motor vehicle, either publicly or privately owned, used to transport students to and from school, or to transport pupils properly chaperoned to and from any place within the state for educational purposes. The term “school bus” shall not include a bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interstate transportation of passengers when such bus is not traveling a specific school bus route but is:

(a) On a regularly scheduled route for the transportation of fare-paying passengers; or

(b) Furnishing charter service for the transportation of persons enrolled as students on field trips or other special trips or in connection with other special events;

(22) “School bus operator”, an operator who operates a school bus as defined in subdivision (21) of this section in the transportation of any schoolchildren and who receives compensation for such service. The term “school bus operator” shall not include any person who transports schoolchildren as an incident to employment with a school or school district, such as a teacher, coach, administrator, secretary, school nurse, or janitor unless such person is under contract with or employed by a school or school district as a school bus operator;

(23) “Signature”, any method determined by the director of revenue for the signing, subscribing or verifying of a record, report, application, driver’s license, or other related document that shall have the same validity and consequences as the actual signing by the person providing the record, report, application, driver’s license or related document;

(24) “Substance abuse traffic offender program”, a program certified by the division of alcohol and drug abuse of the department of mental health to provide education or rehabilitation services pursuant to a professional assessment screening to identify the individual needs of the person who has been referred to the program as the result of an alcohol- or drug-related traffic offense. Successful completion of such a program includes participation in any education or rehabilitation program required to meet the needs identified in the assessment screening. The assignment recommendations based upon such assessment shall be subject to judicial review as provided in subsection 14 of section 302.304 and subsections 1 and 5 of section 302.540;

(25) “Vehicle”, any mechanical device on wheels, designed primarily for use, or used on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons.

302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as described in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court shall order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has been found guilty of acting with criminal negligence while driving while intoxicated to cause the death of another person, or to any person who has been convicted twice within a five-year period of violating state law, county or municipal ordinance of driving while intoxicated, or any other intoxication-related traffic offense as defined in section 577.001, except that, after the expiration of five years from the date of conviction of the last offense of violating such law or ordinance, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances, or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding five years, and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court shall order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540;

(11) To any person who is otherwise disqualified pursuant to the provisions of chapter 302, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians

file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of subdivision (9) or (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have a photo identification technology feature, and a court may require a global positioning system feature for such device. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device **within the last three months of the six-month period of required installation of the ignition interlock device**, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended [for an additional six months] **until the person has completed three consecutive months with no violations as described in this section**. If the person fails to maintain such proof with the director, the license shall be suspended [for the remainder of the six-month period or] until proof as required by this section is filed with the director. [Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.]

3. Any person who petitions the court for reinstatement of his or her license pursuant to subdivision (9) or (10) of subsection 1 of this section shall make application with the Missouri state highway patrol as provided in section 43.540, and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for reinstatement. The applicant shall pay the fee for the state criminal history check pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward a copy of the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.

302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, there shall be no period of suspension. However, in lieu of a suspension the person shall instead complete a ninety-day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such ninety-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a confirmed blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional thirty-day period of restricted driving privilege.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning,

certified ignition interlock device installed pursuant to subsection 5 of this section, the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the Armed Forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the Armed Forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, except any suspension or revocation issued under

section 302.410, 302.462, or 302.574, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state. Any person who has had his or her license suspended or revoked under section 302.410, 302.462, or 302.574, shall be required to pay the reinstatement fee.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (24) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.001 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the

division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a conviction for an intoxication-related traffic offense as defined under section 577.001, and who has a prior alcohol-related enforcement contact as defined under section 302.525, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device **within the last three months of the six-month period of required installation of the ignition interlock device**, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended [for an additional six months] **until the person has completed three consecutive months with no violations as described in this section**. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges, except as provided under subdivision (8) of this subsection. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) A business, occupation, or employment;

(b) Seeking medical treatment for such operator;

(c) Attending school or other institution of higher education;

(d) Attending alcohol or drug treatment programs;

(e) Seeking the required services of a certified ignition interlock device provider; or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator, the court or director may grant such limited driving privilege as the circumstances of the case justify if the

court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of [paragraph (a) of] subdivision (6) of this subsection [on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or] **if such person has a license denial under paragraph (a) or (b) of subdivision (8) of this subsection[, or a license revocation under paragraph (g) of subdivision (6) of this subsection,] or on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license revocation under subdivision (2) of subsection 2 of section 302.525, or sections 302.574 or 577.041,** until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have a photo identification technology feature, and a court may require a global positioning system feature for such device.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation

of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege whose license at the time of application has been suspended or revoked for the following reasons:

(a) [A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b)] A conviction of any felony in the commission of which a motor vehicle was used **and such conviction occurred within the five year period prior to the date of application. However, any felony conviction for leaving the scene of an accident under section 577.060 shall not render the applicant ineligible for a limited driving privilege under this section;**

[(c)] **(b)** Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), **or** (10) [or (11)] of subsection 1 of section 302.060; **or**

[(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060];

[(e) Due to a revocation for failure to submit to a chemical test pursuant to section 302.574 or due to a refusal to submit to a chemical test in any other state, unless such person has completed the first ninety days of such revocation and files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, provided the person is not otherwise ineligible for a limited driving privilege;

[(f)] **(c)** Due to a suspension pursuant to **subdivision (8) or (10) of subsection 1 of section 302.302 or** subsection 2 of section 302.525 [and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(g) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed the first forty-five days of such revocation, provided the person is not otherwise ineligible for a limited driving privilege].

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection. Such person shall

present evidence satisfactory to the court or the director that such person's habits and conduct show that the person no longer poses a threat to the public safety of this state. A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of acting with criminal negligence while driving while intoxicated to cause the death of another person, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection. Such person shall present evidence satisfactory to the court or the director that such person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision. A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. [The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.]

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date

of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle. In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section. If a person otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle that he or she operates is equipped with a functioning, certified ignition interlock device, there shall be no period of suspension. However, in lieu of a suspension the person shall instead complete a ninety-day period of restricted driving privilege. Upon completion of such ninety-day period of restricted driving privilege, compliance with other requirements of law, and filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a confirmed blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional thirty-day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has [completed the first thirty days of a suspension under this section and has] filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device **within the last three months of the six-month period of required installation of the ignition interlock device**, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended [for an additional six months] **until the person has completed three consecutive months with no violations as described in this section**. If the person fails to maintain such proof with the director, the license shall be suspended or revoked, [as applicable] **until proof as required by this section is filed with the director, and the person shall be guilty of a class A misdemeanor**.

302.574. 1. If a person who was operating a vehicle refuses upon the request of the officer to submit to any chemical test under section 577.041, the officer shall, on behalf of the director of revenue, serve the notice of license revocation personally upon the person and shall take possession of any license to operate a vehicle issued by this state which is held by that person. The officer shall issue a temporary permit, on behalf of the director of revenue, which is valid for fifteen days and shall also give the person notice of his or her right to file a petition for review to contest the license revocation.

2. Such officer shall make a certified report under penalties of perjury for making a false statement to a public official. The report shall be forwarded to the director of revenue and shall include the following:

(1) That the officer has:

(a) Reasonable grounds to believe that the arrested person was driving a motor vehicle while in an intoxicated condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer has reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater;

- (2) That the person refused to submit to a chemical test;
- (3) Whether the officer secured the license to operate a motor vehicle of the person;
- (4) Whether the officer issued a fifteen-day temporary permit;
- (5) Copies of the notice of revocation, the fifteen-day temporary permit, and the notice of the right to file a petition for review. The notices and permit may be combined in one document; and
- (6) Any license, which the officer has taken into possession, to operate a motor vehicle.

3. Upon receipt of the officer's report, the director shall revoke the license of the person refusing to take the test for a period of one year; or if the person is a nonresident, such person's operating permit or privilege shall be revoked for one year; or if the person is a resident without a license or permit to operate a motor vehicle in this state, an order shall be issued denying the person the issuance of a license or permit for a period of one year.

4. If a person's license has been revoked because of the person's refusal to submit to a chemical test, such person may petition for a hearing before a circuit division or associate division of the court in the county in which the arrest or stop occurred. The person may request such court to issue an order staying the revocation until such time as the petition for review can be heard. If the court, in its discretion, grants such stay, it shall enter the order upon a form prescribed by the director of revenue and shall send a copy of such order to the director. Such order shall serve as proof of the privilege to operate a motor vehicle in this state and the director shall maintain possession of the person's license to operate a motor vehicle until termination of any revocation under this section. Upon the person's request, the clerk of the court shall notify the prosecuting attorney of the county and the prosecutor shall appear at the hearing on behalf of the director of revenue. At the hearing, the court shall determine only:

- (1) Whether the person was arrested or stopped;
- (2) Whether the officer had:
 - (a) Reasonable grounds to believe that the person was driving a motor vehicle while in an intoxicated or drugged condition; or
 - (b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or
 - (c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer had reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater; and
- (3) Whether the person refused to submit to the test.

5. If the court determines any issue not to be in the affirmative, the court shall order the director to reinstate the license or permit to drive.

6. Requests for review as provided in this section shall go to the head of the docket of the court wherein filed.

7. No person who has had a license to operate a motor vehicle suspended or revoked under the provisions of this section shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (24) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion under the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a similar offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.001, or of a person determined to have operated a motor vehicle with a blood alcohol content of fifteen-hundredths of one percent or more by weight. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted under this subsection shall not be necessary unless directed by the court.

8. The fees for the substance abuse traffic offender program, or a portion thereof, to be determined by the division of alcohol and drug abuse of the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due to the division of alcohol and drug abuse under this section, and shall accrue at a rate not to exceed the annual rates established under the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health under this section shall be deposited in the mental health earnings fund, which is created in section 630.053.

9. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program under this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due to the division under this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action for the collection of said fees and accrued interest. The court shall assess attorneys' fees and court costs against any delinquent program.

10. Any person who has had a license to operate a motor vehicle revoked under this section and who has a prior alcohol-related enforcement contact, as defined in section 302.525, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning,

certified ignition interlock device as a required condition of license reinstatement. Such ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device **within the last three months of the six-month period of required installation of the ignition interlock device**, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended [for an additional six months] **until the person has completed three consecutive months with no violations as described in this section**. If the person fails to maintain such proof with the director as required by this section, the license shall be rerevoked **until proof as required by this section is filed with the director**, and the person shall be guilty of a class A misdemeanor.

11. The revocation period of any person whose license and driving privilege has been revoked under this section and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked.

12. A person commits the offense of failure to maintain proof with the Missouri department of revenue if, when required to do so, he or she fails to file proof with the director of revenue that any vehicle operated by the person is equipped with a functioning, certified ignition interlock device or fails to file proof of financial responsibility with the department of revenue in accordance with chapter 303. The offense of failure to maintain proof with the Missouri department of revenue is a class A misdemeanor.

478.007. 1. Any circuit court, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants with a county municipal court established under section 66.010, may establish a docket or court to provide an alternative for the judicial system to dispose of cases in which a person has pleaded guilty to driving while intoxicated or driving with excessive blood alcohol content and:

(1) The person was operating a motor vehicle with at least fifteen-hundredths of one percent or more by weight of alcohol in such person's blood; or

(2) The person has previously pleaded guilty to or has been found guilty of one or more intoxication-related traffic offenses as defined by section 577.023; or

(3) The person has two or more previous alcohol-related enforcement contacts as defined in section 302.525.

2. This docket or court shall combine judicial supervision, drug testing, continuous alcohol monitoring, **as defined in section 577.001**, substance abuse traffic offender program compliance, and treatment of DWI court participants. The court may assess any and all necessary costs for participation in DWI court against the participant. Any money received from such assessed costs by a court from a defendant shall not be considered court costs, charges, or fines. This docket or court may operate in conjunction with a drug court established pursuant to sections 478.001 to 478.006.

3. If the division of probation and parole is otherwise unavailable to assist in the judicial supervision of any person who wishes to enter a DWI court, a court-approved private probation service may be utilized by the DWI court to fill the division's role. In such case, any and all necessary additional costs may be assessed against the participant. No person shall be rejected from participating in DWI court solely for the reason that the person does not reside in the city or county where the applicable DWI court is located but the DWI court can base acceptance into a treatment court program on its ability to adequately provide services for the person or handle the additional caseload.

577.001. As used in this chapter, the following terms mean:

(1) "Aggravated offender", a person who has been found guilty of:

(a) Three or more intoxication-related traffic offenses committed on separate occasions; or

(b) Two or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(2) "Aggravated boating offender", a person who has been found guilty of:

(a) Three or more intoxication-related boating offenses; or

(b) Has been found guilty of one or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(3) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(4) "Court", any circuit, associate circuit, or municipal court, including traffic court, but not any juvenile court or drug court;

(5) "Chronic offender", a person who has been found guilty of:

(a) Four or more intoxication-related traffic offenses committed on separate occasions; or

(b) Three or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

(c) Two or more intoxication-related traffic offenses committed on separate occasions where both intoxication-related traffic offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(6) "Chronic boating offender", a person who has been found guilty of:

(a) Four or more intoxication-related boating offenses; or

(b) Three or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(c) Two or more intoxication-related boating offenses committed on separate occasions where both intoxication-related boating offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(7) **“Continuous alcohol monitoring”, automatically testing breath, blood, or transdermal alcohol concentration levels and tampering attempts at least once every hour, regardless of the location of the person who is being monitored, and regularly transmitting the data. Continuous alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of section 217.690;**

(8) “Controlled substance”, a drug, substance, or immediate precursor in schedules I to V listed in section 195.017;

[(8)] (9) “Drive”, “driving”, “operates” or “operating”, means physically driving or operating a vehicle or vessel;

[(9)] (10) “Flight crew member”, the pilot in command, copilots, flight engineers, and flight navigators;

[(10)] (11) “Habitual offender”, a person who has been found guilty of:

(a) Five or more intoxication-related traffic offenses committed on separate occasions; or

(b) Four or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

(c) Three or more intoxication-related traffic offenses committed on separate occasions where at least two of the intoxication-related traffic offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

(d) While driving while intoxicated, the defendant acted with criminal negligence to:

a. Cause the death of any person not a passenger in the vehicle operated by the defendant, including the death of an individual that results from the defendant’s vehicle leaving a highway, as defined by section 301.010, or the highway’s right-of-way; or

b. Cause the death of two or more persons; or

c. Cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths of one percent by weight of alcohol in such person’s blood;

[(11)] (12) “Habitual boating offender”, a person who has been found guilty of:

(a) Five or more intoxication-related boating offenses; or

(b) Four or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(c) Three or more intoxication-related boating offenses committed on separate occasions where at least two of the intoxication-related boating offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(d) While boating while intoxicated, the defendant acted with criminal negligence to:

a. Cause the death of any person not a passenger in the vessel operated by the defendant, including the death of an individual that results from the defendant's vessel leaving the water; or

b. Cause the death of two or more persons; or

c. Cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths of one percent by weight of alcohol in such person's blood;

[(12)] (13) "Intoxicated" or "intoxicated condition", when a person is under the influence of alcohol, a controlled substance, or drug, or any combination thereof;

[(13)] (14) "Intoxication-related boating offense", operating a vessel while intoxicated; boating while intoxicated; operating a vessel with excessive blood alcohol content or an offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense;

[(14)] (15) "Intoxication-related traffic offense", driving while intoxicated, driving with excessive blood alcohol content or an offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense;

[(15)] (16) "Law enforcement officer" or "arresting officer", includes the definition of law enforcement officer in section 556.061 and military policemen conducting traffic enforcement operations on a federal military installation under military jurisdiction in the state of Missouri;

[(16)] (17) "Operate a vessel", to physically control the movement of a vessel in motion under mechanical or sail power in water;

[(17)] (18) "Persistent offender", a person who has been found guilty of two or more intoxication-related traffic offenses committed on separate occasions;

[(18)] (19) "Persistent boating offender", a person who has been found guilty of two or more intoxication-related boating offenses committed on separate occasions;

[(19)] (20) "Prior offender", a person who has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged;

[(20)] **(21)** “Prior boating offender”, a person who has been found guilty of one intoxication-related boating offense, where such prior offense occurred within five years of the occurrence of the intoxication-related boating offense for which the person is charged.

577.010. 1. A person commits the offense of driving while intoxicated if he or she operates a vehicle while in an intoxicated condition.

2. The offense of driving while intoxicated is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if:

(a) The defendant is a prior offender; or

(b) A person less than seventeen years of age is present in the vehicle;

(3) A class E felony if:

(a) The defendant is a persistent offender; or

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause physical injury to another person;

(4) A class D felony if:

(a) The defendant is an aggravated offender;

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause physical injury to a law enforcement officer or emergency personnel; or

(c) While driving while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to another person;

(5) A class C felony if:

(a) The defendant is a chronic offender;

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to a law enforcement officer or emergency personnel; or

(c) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of another person;

(6) A class B felony if:

(a) The defendant is a habitual offender; or

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of a law enforcement officer or emergency personnel;

(7) A class A felony if the defendant is a habitual offender as a result of being found guilty of an act described under paragraph (d) of subdivision [(10)] **(11)** of section 577.001 and is found guilty of a subsequent violation of such paragraph.

3. Notwithstanding the provisions of subsection 2 of this section, a person found guilty of the offense

of driving while intoxicated as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the individual participates and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

4. If a person is found guilty of a second or subsequent offense of driving while intoxicated, the court may order the person to submit to a period of continuous alcohol monitoring as a condition of probation.

5. If a person is not granted a suspended imposition of sentence for the reasons described in subsection 3 of this section:

(1) If the individual operated the vehicle with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vehicle with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

[5.] **6.** A person found guilty of the offense of driving while intoxicated:

(1) As a prior offender, persistent offender, aggravated offender, chronic offender, or habitual offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior offender shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least thirty days of community service under the supervision of the court;

(3) As a persistent offender shall not be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least sixty days of community service under the supervision of the court;

(4) As an aggravated offender shall not be eligible for parole or probation until he or she has served a

minimum of sixty days imprisonment;

(5) As a chronic offender shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment; **and**

(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring.

577.012. 1. A person commits the offense of driving with excessive blood alcohol content if such person operates:

(1) A vehicle while having eight-hundredths of one percent or more by weight of alcohol in his or her blood; or

(2) A commercial motor vehicle while having four one-hundredths of one percent or more by weight of alcohol in his or her blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of sections 577.020 to 577.041.

3. The offense of driving with excessive blood alcohol content is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if the defendant is alleged and proved to be a prior offender;

(3) A class E felony if the defendant is alleged and proved to be a persistent offender;

(4) A class D felony if the defendant is alleged and proved to be an aggravated offender;

(5) A class C felony if the defendant is alleged and proved to be a chronic offender;

(6) A class B felony if the defendant is alleged and proved to be a habitual offender.

4. A person found guilty of the offense of driving with an excessive blood alcohol content as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the individual participates in and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

5. If a person is not granted a suspended imposition of sentence for the reasons described in subsection 4 of this section:

(1) If the individual operated the vehicle with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vehicle with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

6. If a person is found guilty of a second or subsequent offense of driving with an excessive blood alcohol content, the court may order the person to submit to a period of continuous alcohol monitoring as a condition of probation.

7. A person found guilty of driving with excessive blood alcohol content:

(1) As a prior offender, persistent offender, aggravated offender, chronic offender or habitual offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior offender shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least thirty days of community service under the supervision of the court;

(3) As a persistent offender shall not be granted parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least sixty days of community service under the supervision of the court;

(4) As an aggravated offender shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic offender shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment; **and**

(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring.

577.013. 1. A person commits the offense of boating while intoxicated if he or she operates a vessel while in an intoxicated condition.

2. The offense of boating while intoxicated is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if:

(a) The defendant is a prior boating offender; or

(b) A person less than seventeen years of age is present in the vessel;

(3) A class E felony if:

(a) The defendant is a persistent boating offender; or

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause physical injury to another person;

(4) A class D felony if:

(a) The defendant is an aggravated boating offender;

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause physical injury to a law enforcement officer or emergency personnel; or

(c) While boating while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to another person;

(5) A class C felony if:

(a) The defendant is a chronic boating offender;

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to a law enforcement officer or emergency personnel; or

(c) While boating while intoxicated, the defendant acts with criminal negligence to cause the death of another person;

(6) A class B felony if:

(a) The defendant is a habitual boating offender; or

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause the death of a law enforcement officer or emergency personnel;

(7) A class A felony if the defendant is a habitual offender as a result of being found guilty of an act described under paragraph (d) of subdivision [(11)] (12) of section 577.001 and is found guilty of a subsequent violation of such paragraph.

3. Notwithstanding the provisions of subsection 2 of this section, a person found guilty of the offense of boating while intoxicated as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the individual participates in and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

4. If a person is found guilty of a second or subsequent offense of boating while intoxicated, the court may order the person to submit to a period of continuous alcohol monitoring as a condition of probation.

5. If a person is not granted a suspended imposition of sentence for the reasons described in subsection 3 of this section:

(1) If the individual operated the vessel with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vessel with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

[5.] 6. A person found guilty of the offense of boating while intoxicated:

(1) As a prior boating offender, persistent boating offender, aggravated boating offender, chronic boating offender or habitual boating offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior boating offender shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least two hundred forty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(3) As a persistent offender shall not be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least four hundred eighty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(4) As an aggravated boating offender shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic boating offender shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment; **and**

(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring.

577.014. 1. A person commits the offense of boating with excessive blood alcohol content if he or she operates a vessel while having eight-hundredths of one percent or more by weight of alcohol in his or her blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be shown by

chemical analysis of the person's blood, breath, saliva or urine. For the purposes of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of sections 577.020 to 577.041.

3. The offense of boating with excessive blood alcohol content is:

- (1) A class B misdemeanor;
- (2) A class A misdemeanor if the defendant is alleged and proved to be a prior boating offender;
- (3) A class E felony if the defendant is alleged and proved to be a persistent boating offender;
- (4) A class D felony if the defendant is alleged and proved to be an aggravated boating offender;
- (5) A class C felony if the defendant is alleged and proved to be a chronic boating offender;
- (6) A class B felony if the defendant is alleged and proved to be a habitual boating offender.

4. A person found guilty of the offense of boating with excessive blood alcohol content as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood unless the individual participates in and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

5. When a person is not granted a suspended imposition of sentence for the reasons described in subsection 4 of this section:

(1) If the individual operated the vessel with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vessel with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

6. If a person is found guilty of a second or subsequent offense of boating with an excessive blood alcohol content, the court may order the person to submit to a period of continuous alcohol monitoring as a condition of probation.

7. A person found guilty of the offense of boating with excessive blood alcohol content:

(1) As a prior boating offender, persistent boating offender, aggravated boating offender, chronic boating offender or habitual boating offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior boating offender, shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least two hundred forty hours of community service under the supervision of the court in those jurisdictions which have a

recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(3) As a persistent boating offender, shall not be granted parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least four hundred eighty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(4) As an aggravated boating offender, shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic boating offender, shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment; **and**

(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring.

Section B. Sections 302.010, 302.060, 302.302, 302.304, 302.309, 302.525, 302.574, 478.007, 577.001, 577.010, 577.012, 577.013, and 577.014 of Section A of this act shall become effective on January 1, 2017.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 254, Page 7, Section 301.142, Line 217, by inserting after all of said section and line the following:

“301.474. 1. Any person who has been awarded the military service award known as the “Korea Defense Service Medal” may apply for special motor vehicle license plates for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

2. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Korea Defense Service Medal as the director may require.

3. Upon presentation of such proof of eligibility, payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law the director of revenue shall issue to the vehicle owner a special personalized license plate which shall bear the words “KOREA DEFENSE SERVICE MEDAL” at the bottom of the plate in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive as prescribed by section 301.130.

4. Such plates shall also bear an image of the Korea Defense Service Medal.

5. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

6. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person.

7. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

8. The director may consult with any organization which represents the interests of persons receiving the Korea Defense Service Medal when formulating the design for the special license plates described in this section.

9. The director shall make all necessary rules and regulations for the administration of this section and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 254, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a set of license plates, or other evidence of registration, as provided by this section. Each set of license plates shall bear the name or abbreviated name of this state, the words “SHOW-ME STATE”, the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the “DISABLED VETERAN” wording on the license plates in preference to the words “SHOW-ME STATE” and special plates for members of the National Guard will have the “NATIONAL GUARD” wording in preference to the words “SHOW-ME STATE”.

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or

otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle, except as provided in this subsection. The applicant for registration of any property-carrying commercial vehicle registered at a gross weight in excess of twelve thousand pounds may request and be issued two license plates for such vehicle, and if such plates are issued, the director of revenue shall provide for distinguishing marks on the plates indicating one plate is for the front and the other is for the rear of such vehicle. The director may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate or set of license plates issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles **either horizontally or vertically**, with the letters and numbers [thereon right side up] **plainly visible**. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) The director of revenue shall issue annually or biennially a tab or set of tabs as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs shall be produced in each license bureau office.

(2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate.

(3) A tab or set of tabs issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of eighteen thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for eighteen thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.

9. No later than January 1, 2009, the director of revenue shall commence the reissuance of new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under

section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new, replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 254, Page 1, Section 301.142, Line 6, by inserting immediately after said line the following: “**assistant physicians,**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 283**, entitled:

An Act to repeal sections 86.200, 86.213, 86.237, 86.250, 86.251, 86.257, 86.263, 86.270, and 86.320, RSMo, and to enact in lieu thereof ten new sections relating to public employee retirement systems.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 283, Page 13, Section 86.320, Line 22, by inserting after all of said line the following:

“105.669. 1. Any participant of a plan who is [found guilty] **convicted** of a felony offense listed in subsection 3 of this section, which is committed in direct connection with or directly related to the participant’s duties as an employee on or after August 28, 2014, shall not be eligible to receive any retirement benefits from the respective plan based on service rendered on or after August 28, 2014, except a participant may still request from the respective retirement system a refund of the participant’s plan contributions, including interest credited to the participant’s account.

2. [Upon a finding of guilt, the court shall forward a notice of the court’s finding to] **The employer of any participant who is charged or convicted of a felony offense listed in subsection 3 of this section, which is committed in direct connection with or directly related to the participant’s duties as an employee on or after August 28, 2014, shall notify** the appropriate retirement system in which the offender was a participant[. The court shall also make a determination on the value of the money, property, or services involved in committing the offense] **and provide information in connection with such charge or conviction.** The plans shall take all actions necessary to implement the provisions of this section.

3. [The finding of guilt for] **A felony conviction based on** any of the following offenses or a substantially similar offense provided under federal law shall result in the ineligibility of retirement benefits as provided in subsection 1 of this section:

(1) The offense of felony stealing under section 570.030 when such offense involved money, property, or services valued at five thousand dollars or more as determined by the court **prior to January 1, 2017,**

or the offense of a class D felony for stealing under section 570.030 on or after January 1, 2017;

(2) The offense of felony receiving stolen property under section 570.080 when such offense involved money, property, or services valued at five thousand dollars or more as determined by the court;

(3) The offense of forgery under section 570.090;

(4) The offense of felony counterfeiting under section 570.103;

(5) The offense of bribery of a public servant under section 576.010; or

(6) The offense of acceding to corruption under section 576.020.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 283, Page 1, Section A, Line 4, by inserting after said line the following:

“70.600. The following words and phrases as used in sections 70.600 to 70.755[, unless a different meaning is plainly required by the context,] shall mean:

(1) “Accumulated contributions”, the total of all amounts deducted from the compensations of a member and standing to the member’s credit in his or her individual account in the members deposit fund, together with investment credits thereon;

(2) “Actuarial equivalent”, a benefit of equal reserve value;

(3) “Allowance”, the total of the annuity and the pension. All allowances shall be paid not later than the tenth day of each calendar month;

(4) “Annuity”, a monthly amount derived from the accumulated contributions of a member and payable by the system throughout the life of a person or for a temporary period;

(5) “Beneficiary”, any person who is receiving or designated to receive a system benefit, except a retiree;

(6) “Benefit program”, a schedule of benefits or benefit formulas from which the amounts of system benefits can be determined;

(7) “Board of trustees” or “board”, the board of trustees of the system;

(8) “Compensation”, the remuneration paid an employee by a political subdivision or by an elected fee official of the political subdivision for personal services rendered by the employee for the political subdivision or for the elected fee official in the employee’s public capacity; provided, that for an elected fee official, “compensation” means that portion of his or her fees which is net after deduction of (a) compensation paid by such elected fee official to his or her office employees, if any, and (b) the ordinary and necessary expenses paid by such elected fee official and attributable to the operation of his or her office. In cases where an employee’s compensation is not all paid in money, the political subdivision shall fix the reasonable value of the employee’s compensation not paid in money. In determining compensation no consideration shall be given to:

(a) Any nonrecurring single sum payment paid by an employer;

(b) Employer contributions to any employee benefit plan or trust;

(c) Any other unusual or nonrecurring remuneration; or

(d) Compensation in excess of the limitations set forth in Internal Revenue Code Section 401(a)(17). The limitation on compensation for eligible employees shall not be less than the amount which was allowed to be taken into account under the system as in effect on July 1, 1993. For purposes of this paragraph, an "eligible employee" is an individual who was a member of the system before the first plan year beginning after December 31, 1995;

(9) "Credited service", the total of a member's prior service and membership service, to the extent such service is standing to the member's credit as provided in sections 70.600 to 70.755;

(10) "Employee", any person regularly employed by a political subdivision who receives compensation from the political subdivision for personal services rendered the political subdivision, including any elected official of the political subdivision whose position requires his or her regular personal services and who is compensated wholly or in part on a fee basis, and including the employees of such elected fee officials who may be compensated by such elected fee officials. The term "employee" may include any elected county official. The term "employee" shall not include any person:

(a) Who is not an elected official of the political subdivision and who is included as an active member in any other plan similar in purpose to this system by reason of his or her employment with his or her political subdivision, except the federal Social Security Old Age, Survivors, and Disability Insurance Program, as amended; or

(b) Who acts for the political subdivision under contract; or

(c) Who is paid wholly on a fee basis, except elected officials and their employees; or

(d) Who holds the position of mayor, presiding judge, president or chairman of the political subdivision or is a member of the governing body of the political subdivision; except that, such an official of a political subdivision having ten or more other employees may become a member if the official is covered under the federal Social Security Old Age, Survivors, and Disability Insurance Program, as amended, by reason of such official's employment with his or her political subdivision, by filing written application for membership with the board after the date the official qualifies for such position or within thirty days after the date his or her political subdivision becomes an employer, whichever date is later;

(11) "Employer", any political subdivision which has elected to have all its eligible employees covered by the system;

(12) "Final average salary", the monthly average of the compensations paid an employee during the period of sixty or, if an election has been made in accordance with section 70.656, thirty-six consecutive months of credited service producing the highest monthly average, which period is contained within the period of one hundred twenty consecutive months of credited service immediately preceding his or her termination of membership. Should a member have less than sixty or, if an election has been made in accordance with section 70.656, thirty-six months of credited service, "final average salary" means the monthly average of compensation paid the member during his or her total months of credited service;

(13) "Fireman", any regular or permanent employee of the fire department of a political subdivision, including a probationary fireman. The term "fireman" shall not include:

(a) Any volunteer fireman; or

(b) Any civilian employee of a fire department, **except as provided in section 70.631**; or

(c) Any person temporarily employed as a fireman for an emergency;

(14) “Member”, any employee included in the membership of the system;

(15) “Membership service”, employment as an employee with the political subdivision from and after the date such political subdivision becomes an employer, which employment is creditable as service hereunder;

(16) “Minimum service retirement age”, age sixty for a member who is neither a policeman nor a fireman; “minimum service retirement age”, age fifty-five for a member who is a policeman or a fireman;

(17) “Pension”, a monthly amount derived from contributions of an employer and payable by the system throughout the life of a person or for a temporary period;

(18) “Policeman”, any regular or permanent employee of the police department of a political subdivision, including a probationary policeman. The term “policeman” shall not include:

(a) Any civilian employee of a police department, **except as provided in section 70.631**; or

(b) Any person temporarily employed as a policeman for an emergency;

(19) “Political subdivision”, any governmental subdivision of this state created pursuant to the laws of this state, and having the power to tax, except public school districts; a board of utilities or a board of public works which is required by charter or ordinance to establish the compensation of employees of the utility separate from the compensation of other employees of the city may be considered a political subdivision for purposes of sections 70.600 to 70.755; a joint municipal utility commission may be considered a political subdivision for purposes of sections 70.600 to 70.755;

(20) “Prior service”, employment as an employee with the political subdivision prior to the date such political subdivision becomes an employer, which employment is creditable as service hereunder;

(21) “Regular interest” or “investment credits”, such reasonable rate or rates per annum, compounded annually, as the board shall adopt annually;

(22) “Reserve”, the present value of all payments to be made on account of any system benefit based upon such tables of experience and regular interest as the board shall adopt from time to time;

(23) “Retirant”, a former member receiving a system allowance by reason of having been a member;

(24) “Retirement system” or “system”, the Missouri local government employees’ retirement system.”; and

Further amend said bill, Page 2, Section 70.621, Line 24 by inserting after said line the following:

“70.631. 1. Each political subdivision may, by majority vote of its governing body, elect to cover emergency police dispatchers and jailers as policemen members of the system and emergency fire dispatchers and emergency medical service personnel as firemen members of the system. The clerk or secretary of the political subdivision shall certify an election concerning the coverage of emergency police dispatchers and jailers as policemen members of the system and emergency fire dispatchers

and emergency medical service personnel as firemen members of the system to the board within ten days after such vote. The date on which the political subdivision's election becomes effective shall be the first day of the calendar month specified by such governing body, the first day of the calendar month next following receipt by the board of the certification of the election, or the effective date of the political subdivision's becoming an employer, whichever is the latest date. Such election shall not be changed after the effective date. If the election is made, the coverage provisions shall be applicable to the past and future employment with the employer by present and future employees.

2. If an employer elects to cover emergency police dispatchers and jailers as policemen members of the system and emergency fire dispatchers and emergency medical service personnel as firemen members of the system, the employer contributions shall be correspondingly changed effective the same date as the effective date of the political subdivision's election.

3. The limitation on increases in an employer's contributions provided by subsection 6 of section 70.730 shall not apply to any contribution increase resulting from an employer making an election under the provisions of this section."; and

Further amend said bill, Page 5, Section 86.200, Line 114 by inserting after said line the following:

"86.207. 1. **Except as provided herein**, all persons who become policemen **or policewomen** and all policemen **or policewomen** who enter or reenter the service of [the] **any city not within a county** after the first day of October, 1957, become members as a condition of their employment and shall receive no pensions or retirement allowance from any other pension or retirement system supported wholly or in part by the city **not within a county** or the state of Missouri, nor shall they be required to make contributions under any other pension or retirement system of the city **not within a county** or the state of Missouri **for the same period of service**, anything to the contrary notwithstanding. **Any employee of a city not within a county who is earning creditable service in a retirement plan established by said city under section 95.540 and subsequently becomes a policeman may elect to remain a member of said retirement plan and shall not be required to become a member of a police retirement system established under section 86.200. However, an employee of a city not within a county who is earning creditable service in a retirement plan established by said city under section 95.540 and who subsequently becomes a policeman may elect to transfer membership and creditable service to the police retirement system created under section 86.200. Such transfers are subject to the conditions and requirements contained in section 105.691 and are also subject to any existing agreements between the said retirement plans, provided however, transfers completed prior to January 1, 2016 shall occur without regard to the vesting requirements of the receiving plan, contained in section 105.691. As part of the transfer process described herein, the respective retirement plans may require the employee to acknowledge and agree as a condition of transfer that any election made under this section is irrevocable, constitutes a waiver of any right to receive retirement and disability benefits except as provided by the police retirement system, and that plan terms may be modified in the future.**

2. If any member ceases to be in service for more than one year unless the member has attained the age of fifty-five or has twenty years or more of creditable service, or if the member withdraws the member's accumulated contributions or if the member receives benefits under the retirement system or dies, the member thereupon ceases to be a member; except in the case of a member who has served in the Armed Forces of the United States and has subsequently been reinstated as a policeman. A member who has terminated employment as a police officer, has actually retired and is receiving retirement benefits under

the system shall be considered a retired member.

3. A reserve officer shall not be considered a member of the system for the purpose of determining creditable service, nor shall any contributions be due. A reserve officer shall not be entitled to any benefits from the system other than those awarded when the reserve officer originally retired under section 86.250, nor shall service as a reserve officer prohibit distribution of those benefits.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SCS** for **SB 5**, as amended. Representatives: Curtman, Cornejo, Austin, Pierson and McCann Beatty.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HB 458**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 473**, entitled:

An Act to repeal sections 162.471, 162.481, and 162.491, RSMo, and sections 162.481 and 162.491 as enacted by senate substitute for senate committee substitute for house committee substitute no. 2 for house bill no. 63, ninety-eighth general assembly, first regular session, and to enact in lieu thereof four new sections relating to school directors for urban school districts, with an emergency clause.

With House Amendment Nos. 1 and 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 473, Page 3, Section 160.671, Line 50, by deleting the words “**three hundred**” and inserting in lieu thereof the words “**seven hundred and fifty**”; and

Further amend said bill, page, and section, Line 67, by deleting the words “**three hundred**” and inserting in lieu thereof the words “**seven hundred and fifty**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 473, Page 1, In the title, Lines 5-6, by deleting the words, “school directors for urban school districts” and inserting in lieu thereof the words, “elementary and secondary education”; and

Further amend said bill, Page 6, Section 162.491, Line 18, by inserting after all of said line the following:

“163.045. Notwithstanding the provisions of subsection 2 of section 163.031 to the contrary, in any school year in which a school district’s average daily attendance increases from three hundred fifty or less to more than three hundred fifty or decreases from more than three hundred fifty to three hundred fifty or less, such school district shall receive state aid as calculated under section 163.031 based on the school district’s average daily attendance in the school year immediately preceding such increase or decrease. Such school district shall continue to receive state aid based on the school district’s immediately preceding average daily attendance in the previous school year until any such increase or decrease in average daily attendance is maintained by the school district for two consecutive school years. If an increase or decrease in average daily attendance is maintained for two consecutive school years by the school district, the school district shall receive state aid as calculated under section 163.031 based on the average daily attendance maintained for the previous two school years.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCR 38** and has taken up and passed **SCS** for **HCR 38**.

REFERRALS

President Pro Tem Dempsey referred **SS No. 2** for **SCS** for **SBs 199, 417** and **42** to the Committee on Governmental Accountability and Fiscal Oversight.

Senator Kehoe assumed the Chair.

HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

HCS for **HBs 671 & 683**—Financial and Governmental Organizations and Elections.

HCS for **HB 137**—Governmental Accountability and Fiscal Oversight.

HB 324—Jobs, Economic Development and Local Government.

HCS for **HB 830**—Agriculture, Food Production and Outdoor Resources.

HCS for **HB 583**—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 762**—Transportation, Infrastructure and Public Safety.

HCS for **HB 1066**—Veterans' Affairs and Health.

HCS for **HB 198**—Small Business, Insurance and Industry.

HCS for **HB 1312**—Jobs, Economic Development and Local Government.

HCS for HB 884—Jobs, Economic Development and Local Government.

HCS for HB 519—Governmental Accountability and Fiscal Oversight.

HCS for HB 375—Agriculture, Food Production and Outdoor Resources.

HB 1039—Financial and Governmental Organizations and Elections.

HCS for HB 422—Financial and Governmental Organizations and Elections.

HB 571—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 634—Financial and Governmental Organizations and Elections.

HCS for HB 658—Education.

HCS for HB 1184—Agriculture, Food Production and Outdoor Resources.

HCS for HB 1243—Small Business, Insurance and Industry.

HCS for HJR 7—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 1318—General Laws and Pensions.

HCS for HB 120—General Laws and Pensions.

HCS for HB 844—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 742—Education.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS for SS for SCS for SB 5**, as amended: Senators Schmitt, Schaefer, Dixon, Chappelle-Nadal and Holsman.

PRIVILEGED MOTIONS

Senator Schatz moved that **SB 221**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Schatz, the above motion was withdrawn.

Senator Kraus moved that the House grant further conference on **HCS for SB 104**, as amended, which motion prevailed.

THIRD READING OF SENATE BILLS

SB 200, introduced by Senator Dixon, entitled:

An Act to repeal sections 565.020, 565.030, 565.032, and 565.040, RSMo, section 556.061 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 556.061 as enacted by house bill no. 215 merged with house bill no. 505, ninety-seventh general assembly, first regular session, and to enact in lieu thereof seven new sections relating to first degree murder, with penalty

provisions, an emergency clause for certain sections and an effective date for certain sections.

Was taken up.

On motion of Senator Dixon, **SB 200** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schatz	Schmitt	Schupp
Sifton	Wallingford	Walsh	Wasson	Wieland—29			

NAYS—Senators

Keaveny	Schaaf	Silvey—3
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Absent—Senators

Nasheed	Schaefer—2
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Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schatz	Schmitt	Schupp
Sifton	Wallingford	Walsh	Wasson	Wieland—29			

NAYS—Senators

Keaveny	Schaaf	Silvey—3
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Absent—Senators

Nasheed	Schaefer—2
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Absent with leave—Senators—None

Vacancies—None

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 377, introduced by Senator Schatz, entitled:

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions for aircraft.

Was taken up.

On motion of Senator Schatz, **SB 377** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schatz
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senator Schupp—1

Absent—Senators

Nasheed Schaefer—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 364, introduced by Senator Parson, entitled:

An Act to amend chapter 137, RSMo, by adding thereto one new section relating to assessment in newly created political subdivisions.

Was taken up.

On motion of Senator Parson, **SB 364** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senators

Nasheed Schaefer—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 392, introduced by Senator Wieland, entitled:

An Act to repeal section 378.633, RSMo, and to enact in lieu thereof one new section relating to fraternal benefit society agents.

Was taken up.

On motion of Senator Wieland, **SB 392** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Schaefer—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 497, introduced by Senator Hegeman, entitled:

An Act to repeal sections 67.950, 67.955, 393.015, and 644.145, RSMo, and to enact in lieu thereof five new sections relating to special purpose districts.

Was taken up.

On motion of Senator Hegeman, **SB 497** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senator Chappelle-Nadal—1

Absent—Senator Schaefer—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 533, introduced by Senator Riddle, entitled:

An Act to repeal section 210.003, RSMo, and to enact in lieu thereof one new section relating to immunizations of children.

Was taken up.

On motion of Senator Riddle, **SB 533** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 463, introduced by Senator Dixon, entitled:

An Act to repeal sections 135.1150 and 135.1180, RSMo, and to enact in lieu thereof two new sections relating to benevolent tax credits.

Was taken up.

On motion of Senator Dixon, **SB 463** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 152, introduced by Representative Haahr, with **SCS**, entitled:

An Act to repeal sections 566.210, 566.211, 566.212, and 566.213, RSMo, and to enact in lieu thereof four new sections relating to sexual trafficking of a child, with penalty provisions.

Was taken up by Senator Onder.

SCS for **HB 152**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 152

An Act to repeal sections 566.210, 566.211, 566.212, and 566.213, RSMo, and to enact in lieu thereof four new sections relating to sexual trafficking of a child, with penalty provisions.

Was taken up.

Senator Onder moved that **SCS** for **HB 152** be adopted.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 152, Page 1, In the Title, Line 3, by striking “sexual trafficking of a child” and inserting in lieu thereof the following: “human trafficking”; and

Further amend said bill, page 4, section 566.213, line 25, by inserting immediately after said line the

following:

“589.660. As used in sections 589.660 to 589.681, the following terms mean:

- (1) “Address”, a residential street address, school address, or work address of a person, as specified on the person's application to be a program participant;
- (2) “Application assistant”, an employee of a state or local agency, or of a nonprofit program that provides counseling, referral, shelter, or other specialized service to victims of domestic violence, rape, sexual assault, **human trafficking**, or stalking, who has been designated by the respective agency or program, and who has been trained and registered by the secretary of state to assist individuals in the completion of program participation applications;
- (3) “Designated address”, the address assigned to a program participant by the secretary;
- (4) “Mailing address”, an address that is recognized for delivery by the United States Postal Service;
- (5) “Program”, the address confidentiality program established in section 589.663;
- (6) “Program participant”, a person certified by the secretary of state as eligible to participate in the address confidentiality program;
- (7) “Secretary”, the secretary of state.

589.663. There is created in the office of the secretary of state a program to be known as the “Address Confidentiality Program” to protect victims of domestic violence, rape, sexual assault, **human trafficking**, or stalking by authorizing the use of designated addresses for such victims and their minor children. The program shall be administered by the secretary under the following application and certification procedures:

- (1) An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person may apply to the secretary to have a designated address assigned by the secretary to serve as the person's address or the address of the minor or incapacitated person;
- (2) The secretary may approve an application only if it is filed with the office of the secretary in the manner established by rule and on a form prescribed by the secretary. A completed application shall contain:
 - (a) The application preparation date, the applicant's signature, and the signature and registration number of the application assistant who assisted the applicant in applying to be a program participant;
 - (b) A designation of the secretary as agent for purposes of service of process and for receipt of first-class mail, legal documents, and certified mail;
 - (c) A sworn statement by the applicant that the applicant has good reason to believe that he or she:
 - a. Is a victim of domestic violence, rape, sexual assault, **human trafficking**, or stalking; and
 - b. Fears further violent acts from his or her assailant;
 - (d) The mailing address where the applicant may be contacted by the secretary or a designee and the telephone number or numbers where the applicant may be called by the secretary or the secretary's designee; and
 - (e) One or more addresses that the applicant requests not be disclosed for the reason that disclosure will jeopardize the applicant's safety or increase the risk of violence to the applicant or members of the applicant's household;

(3) Upon receipt of a properly completed application, the secretary may certify the applicant as a program participant. A program participant is certified for four years following the date of initial certification unless the certification is withdrawn or cancelled before that date. The secretary shall send notification of lapsing certification and a reapplication form to a program participant at least four weeks prior to the expiration of the program participant's certification;

(4) The secretary shall forward first class mail, legal documents, and certified mail to the appropriate program participants.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 152, Page 2, Section 566.210, Line 15, by inserting immediately at the end of said line the following: **“In addition to any other penalties provided under this section, such conduct shall constitute an unlawful practice under section 407.020.”**; and

Further amend said bill, page 2, section 566.211, line 16, by inserting immediately at the end of said line the following: **“In addition to any other penalties provided under this section, such conduct shall constitute an unlawful practice under section 407.020.”**; and

Further amend said bill, page 3, section 566.212, line 16, by inserting immediately at the end of said line the following: **“In addition to any other penalties provided under this section, such conduct shall constitute an unlawful practice under section 407.020.”**; and

Further amend said bill, page 4, section 566.213, line 15, by inserting immediately at the end of said line the following: **“In addition to any other penalties provided under this section, such conduct shall constitute an unlawful practice under section 407.020.”**.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Onder moved that **SCS** for **HB 152**, as amended, be adopted, which motion prevailed.

On motion of Senator Onder, **SCS** for **HB 152**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Onder, title to the bill was agreed to.

Senator Onder moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 111, introduced by Representative Crawford, entitled:

An Act to repeal section 144.044, RSMo, and to enact in lieu thereof one new section relating to sales tax on manufactured homes.

Was taken up by Senator Cunningham.

On motion of Senator Cunningham, **HB 111** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 501, introduced by Representative Montecilla, entitled:

An Act to repeal section 170.015, RSMo, and to enact in lieu thereof one new section relating to course materials relating to human sexuality.

Was taken up by Senator Brown.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 501, Page 1, Section 170.015, Line 2, by striking the word “diseases” and inserting in lieu thereof the word “**infections**”; and further amend said line by inserting immediately after the word “accurate” the following: “, **be based on peer reviewed projects that have been demonstrated**

to influence healthy behavior, be age appropriate,”; and further amend line 5 by striking the word “diseases” and inserting in lieu thereof the word “**infections**”; and further amend line 8 by striking the word “diseases” and inserting in lieu thereof the word “**infections**”; and further amend line 9 by striking the word “diseases” and inserting in lieu thereof the word “**infections**”; and further amend line 11 by inserting immediately after the word “virus” the following: “**(HIV)**”; and further amend line 12 by striking the word “diseases” and inserting in lieu thereof the word “**infections**”; and further amend line 15 by striking the word “diseases” and inserting in lieu thereof the word “**infections**”; and

Further amend said bill and section, page 2, line 21, by inserting immediately after the word “plan” the following: “**and provide information about the vaccine for human papilloma virus, which may prevent cervical cancer, genital warts, infertility, and other reproductive health problems, when administered prior to becoming sexually active;**

(5) Encourage family communication between parents and children about sexuality;

(6) Help young people gain knowledge about the physical, biological, and hormonal changes of adolescence and subsequent states of human maturation and the skills to make responsible decisions about sexuality, including how alcohol and drug use can affect that decision making”; and

Further amend line 31 by inserting after all of said line the following:

“(9) Help pupils develop skills in critical thinking, problem solving, decision making, and stress management in order to make healthy decisions about sexuality and relationships;”; and further renumber the remaining subdivisions accordingly; and further amend line 34 by striking the word “and”; and further amend said line by inserting immediately after the word “programs” the following: “**, and applications downloaded by a user to a mobile device”**; and

Further amend said bill and section, page 3, line 57 by inserting immediately after the word “materials” the following: “**and names and affiliations of presenters**”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion failed.

On motion of Senator Brown, **HB 501** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 941, regarding Allen Engelmann, which was adopted.

Senator Sater offered Senate Resolution No. 942, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Joe Bill Holland-Waisner, Crane, which was adopted.

Senator Sater offered Senate Resolution No. 943, regarding Charlene Jackson, Crane, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 944, regarding Madeleine Ming Hu Goedegebuure, Clayton, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 945, regarding Emily Elizabeth Tobar, Bridgeton, which was adopted.

Senator Onder offered Senate Resolution No. 946, regarding Carly Marie Freihofer, O'Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 947, regarding Danielle Marie Farley, Wentzville, which was adopted.

Senator Onder offered Senate Resolution No. 948, regarding Michelle Marie Fritsche, Foristell, which was adopted.

Senator Onder offered Senate Resolution No. 949, regarding Khilia A. Walker, Wentzville, which was adopted.

Senator Onder offered Senate Resolution No. 950, regarding Richard Charles Wisniewski, O'Fallon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 951, regarding Parker S. Petersen, which was adopted.

Senator Dixon offered Senate Resolution No. 952, regarding Nathan Thomas, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 953, regarding Rick Hughlett, Springfield, which was adopted.

INTRODUCTIONS OF GUESTS

On behalf of Senator Emery and himself, the President introduced to the Senate, Lori Bartlett, and her daughter, Chloe, Liberal; and Hailey Gilbreath, Carl Junction.

On behalf of Senators Romine, Schatz and himself, Senator Pearce introduced to the Senate, Dr. Tom Hobbs, Warrensburg; and Dr. Renee Lane, DeSoto.

Senator Richard introduced to the Senate, his granddaughter, Natalie Greer, Joplin; and Natalie was made an honorary page.

Senator Brown introduced to the Senate, his granddaughter, Kennedy Brown, Rolla; and Kennedy was made an honorary page.

Senator Cunningham introduced to the Senate, Kelly Garrison; and eighth grade students from Hartville School.

Senator Schaefer introduced to the Senate, University of Missouri Director of Athletics Mike Alden, and his wife, Rocky, Columbia.

Senator Onder introduced to the Senate, the Physician of the Day, Dr. George Bohigian, Des Peres.

Senator Kraus introduced to the Senate, fourth grade students from Pleasant Lea Middle School, Lee's Summit.

Senator Parson introduced to the Senate, Becky Marsolf, her daughter, Kasey Sekulic, and her children, Landon, Seth and Mackynzi, Fair Grove; and Raelyn Marsolf, New Orleans, Louisiana.

Senator Schupp introduced to the Senate, Kate Hodgson, Bella Vista, Arkansas; and Kate was made an honorary page.

Senator Munzlinger introduced to the Senate, Tatum Reed, and the fourth grade students from Atlanta C-3 School.

Senator LeVota introduced to the Senate, fifty fourth grade students from William Yates Elementary School, Independence.

Senator Pearce introduced to the Senate, Brent Blackwell, Carrollton.

On behalf of Senators Kehoe, Onder and herself, Senator Walsh introduced to the Senate, Renee, Brianna and James Crowe, St. Peters; and Kaitlyn McConnaughay, Abigail and Madeline Buhr, Bonnots Mill.

On behalf of Senators Pearce, Kraus and himself, Senator Holsman introduced to the Senate, Andrea Glinn, Warrensburg; and Megan Ryken, Lee's Summit.

Senator Schupp introduced to the Senate, former State Representatives Tim Meadows and Tom George, St. Louis.

Senator Hegeman introduced to the Senate, Lori Haws, her daughter, Paxton and son, A.J., Gene and Christy Kenny, Maryville; Diana Stephens, Sheridan; and the Honorable John C. Andrews, and his wife, Jo, Grant City.

Senator Schupp introduced to the Senate, Jim Kabell.

Senator Schupp introduced to the Senate, Larry Tinker, Maryland Heights; Dave Lalumondier, St. Ann, and Ron Johnson, Kansas City.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTIETH DAY—WEDNESDAY, APRIL 29, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HJR 24
HB 322-Shumake
HCS for HB 867
HCS for HB 694
HB 1024-Higdon
HB 202-Morris
HCS for HB 476

HB 842-McDaniel
HCS for HB 209
HCS for HB 1023
HB 389-Hoskins
HCS for HB 627
HB 101-Redmon

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)
SCS for SB 56-Munzlinger (In Fiscal Oversight)
SS for SB 201-Dixon (In Fiscal Oversight)
SB 203-Dixon (In Fiscal Oversight)

SB 352-Schaefer (In Fiscal Oversight)
SS for SB 373-Libla (In Fiscal Oversight)
SS#2 for SCS for SBs 199, 417 & 42-Dixon
(In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

1. HCS for HJR 34, with SCS (Schmitt)
(In Fiscal Oversight)
2. HCS for HB 882-McGaugh, with SCS
(Munzlinger) (In Fiscal Oversight)
3. HCS for HB 587-Dugger (Wasson)
4. HB 615-Dohrman, with SCS (Schatz)
5. HCS for HB 709, with SCS (Parson)

6. HCS for HB 299, with SCS (Kraus)
7. HCS for HBs 517 & 754, with SCS
(Kraus)
8. HB 589-Hough, with SCS (Onder)
9. HB 524-Dugger (Cunningham)
10. HB 271-Hoskins (Dixon)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

SB 17-Dixon	SB 313-Wallingford, with SCS
SB 37-Romine, with SCS & SA 1 (pending)	SBs 331 & 21-Libla, with SCS & SS for SCS (pending)
SB 44-Nasheed, with SCS	SB 339-Munzlinger, with SS (pending)
SB 46-Holsman	SB 358-Kehoe
SB 53-Schaaf, with SS#2 (pending)	SB 360-Parson, with SCS
SB 55-Munzlinger	SB 371-Munzlinger
SB 59-Dixon	SB 372-Keaveny, with SCS (pending)
SB 69-LeVota, with SCS	SB 374-Schatz, with SCS
SB 80-Dixon, with SCS	SB 399-Onder
SB 91-Dixon, with SCS	SB 400-Onder, with SS (pending)
SBs 112, 212, 143 & 234-Dixon, with SCS	SB 409-Wallingford, with SCS
SB 117-Brown, with SCS	SB 420-Schmitt
SB 127-Brown, with SCS	SB 424-Pearce, with SA 1 (pending)
SB 130-Walsh and Schupp, with SCS	SB 427-Sifton, with SCS
SB 151-Sater	SB 432-Onder, with SCS
SB 159-Parson	SB 442-Schaefer
SB 167-Schaaf, with SCS	SBs 451, 307, 100 & 165-Dixon, with SCS
SB 177-Munzlinger, with SCS	SB 452-Schmitt, et al, with SA 1 & point of order (pending)
SB 220-Kehoe	SB 455-Kehoe
SB 225-Romine, with SCS	SB 469-Munzlinger
SB 227-Emery, with SS (pending)	SB 471-Schaaf
SB 232-Kehoe, with SCS (pending)	SB 481-Onder, with SCS
SB 233-Kehoe, with SCS & SA 2 (pending)	SB 520-Kehoe, with SCS
SB 266-Schaefer, with SCS	SB 528-Sater
SB 267-Schaefer, with SCS	SB 540-Libla, with SS (pending)
SB 268-Pearce, with SCS	SB 567-Chappelle-Nadal, et al
SB 286-Schaaf and Silvey	SJR 7-Richard and Wallingford
SB 299-Pearce	SJR 12-Onder, with SCS (pending)
SB 302-Riddle, with SCS (pending)	
SB 304-Keaveny, with SCS	
SB 305-Onder	

HOUSE BILLS ON THIRD READING

HCS for HB 50, with SCS (Parson)
HB 92-Miller (Kehoe)
HB 108-McCaherty (Dixon)
HB 190-Swan (Wallingford)
HB 336-McGaugh (Kraus)
HB 514-Leara (Schmitt)
HB 531-Solon (Riddle)
HB 533-Dugger, with SCS (Wasson)

HB 556-Wood, with SCS (Riddle)
HB 629-Leara (Silvey)
HCS for HB 722 (Kehoe)
HCS for HB 777 (Kraus)
HB 836-Ross (Libla)
HB 878-Rhoads, with SCS (Libla)
HJR 1-Dugger (Kraus)

CONSENT CALENDAR

House Bills

Reported 4/9

HB 125-Black (Romine)

Reported 4/15

HB 41-Wood, with SCS (Kehoe)
HB 511-Mathews (Schatz)
HB 88-Walton Gray (Walsh)
HB 326-Leara (Kehoe)
HB 361-Spencer (Riddle)
HB 400-Peters (Walsh)
HB 402-Phillips (Sater)
HB 403-Phillips, with SCS (Sater)
HB 404-Phillips (Sater)
HB 567-Dunn (Curls)
HB 778-Ruth (Romine)
HB 859-Dunn (Curls)
HB 861-Fitzwater (49) (Wasson)

HB 874-Remole (Munzlinger)
HB 1116-Rehder (Libla)
HB 1119-Redmon (Hegeman)
HB 1052-Miller (Wasson)
HB 1098-Crawford, with SCS (Kraus)
HB 391-Gosen (Parson)
HB 343-Lair, with SCS (Wieland)
HB 947-Wiemann, with SCS (Wallingford)
HB 179-Chipman (Brown)
HB 269-Miller (Kehoe)
HB 650-Cornejo (Schaefer)
HB 869-Solon (Schatz)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SBs 34 & 105-Wallingford, with HCS
SB 221-Schatz, with HCS

SB 231-Kehoe, with HCS, as amended
SB 254-Kraus, with HCS, as amended

SB 283-Kehoe, with HCS, as amended

SCS for SB 473-Schaaf, with HCS, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SS for SCS for SB 5-Schmitt, with HCS,
as amendedSS#2 for SCS for SB 11-Richard, with HA 1,
HA 2, as amended, HA 3, as
amended & HA 4SB 104-Kraus, with HCS, as amended
(Senate requests House grant further
conference)SCS for SB 152-Wallingford, with HCS, as
amended (CCR Offered)HCS for HB 42 with SCS, as amended
(Pearce)

Requests to Recede or Grant Conference

HB 458-Allen, with SS for SCS, as
amended (Schmitt) (House requests
Senate recede or grant conference)

RESOLUTIONS

Reported from Committee

HCR 34-Rowland (Cunningham)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTIETH DAY—WEDNESDAY, APRIL 29, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“My flesh and my heart may fail, but God is the strength of my heart and my portion forever.” (Psalm 73:26)

Loving God, You bless us with Your loving care and offer us refuge as the stress of these days grows more intent. So, we desire to draw closer to You so our lives experience Your calming presence, which quiets our hearts and minds so we may reflect Your mercy and goodness in what we do here. And, may gentleness abound in our work with our staff and our appreciation of them be known. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Senator Kehoe announced that photographers from the KRCG-TV were given permission to take pictures in the Senate Chamber.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 954, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Fred Letterman, Morrisville, which was adopted.

Senator Parson offered Senate Resolution No. 955, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dannie Hubbert, Bolivar, which was adopted.

Senator Schupp offered Senate Resolution No. 956, regarding Ali Michelle Neuberger, Creve Coeur, which was adopted.

Senator Schupp offered Senate Resolution No. 957, regarding Catherine Elizabeth Breakfield, Maryland Heights, which was adopted.

Senator Schupp offered Senate Resolution No. 958, regarding Myra Lily Sun Dotzel, Chesterfield, which was adopted.

Senator Schupp offered Senate Resolution No. 959, regarding Victoria Lynn Kleitz, Bridgeton, which was adopted.

Senator Schupp offered Senate Resolution No. 960, regarding Megan Ayten Senol, Saint Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 961, regarding Breanne Bambrick, which was adopted.

Senator Schatz offered Senate Resolution No. 962, regarding Jacqueline Elaine Reinbott, Glencoe, which was adopted.

Senator Schatz offered Senate Resolution No. 963, regarding Christine E. Casey, Ballwin, which was adopted.

Senator Schatz offered Senate Resolution No. 964, regarding Olivia Rose Haddox, which was adopted.

Senator Schatz offered Senate Resolution No. 965, regarding Jamielee Rose Buenemann, which was adopted.

PRIVILEGED MOTIONS

Senator Schaaf moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 473**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

At the request of Senator Wasson, **HCS** for **HB 587** was placed on the Informal Calendar.

At the request of Senator Schatz, **HB 615**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Parson, **HCS** for **HB 709**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 299**, with **SCS**, was placed on the Informal Calendar.

HCS for **HBs 517** and **754**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Onder, **HB 589**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Cunningham, **HB 524** was placed on the Informal Calendar.

HB 271 was placed on the Informal Calendar.

HB 531, introduced by Representative Solon, entitled:

An Act to repeal section 407.926, RSMo, and to enact in lieu thereof one new section relating to child-resistant packaging for liquid nicotine containers, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Riddle.

On motion of Senator Riddle, **HB 531** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 524, introduced by Representative Dugger, entitled:

An Act to repeal sections 301.640 and 306.420 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 301.640 as enacted by senate bill no. 82, ninety-fourth general assembly, first regular session, and section 306.420 as enacted by house bill no. 2008 merged with senate bill no. 895, ninety-first general assembly, second regular session, and section 700.370, RSMo, and to enact in lieu thereof four new sections relating to the electronic transmission of motor vehicle lien documents.

Was called from the Informal Calendar and taken up by Senator Cunningham.

On motion of Senator Cunningham, **HB 524** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 50**, with **SCS**, entitled:

An Act to repeal sections 382.010, 382.040, 382.050, 382.060, 382.080, 382.095, 382.110, 382.160, 382.170, 382.180, 382.190, 382.195, 382.220, and 382.230, RSMo, and to enact in lieu thereof seventeen new sections relating to insurance holding companies, with a penalty provision.

Was called from the Informal Calendar and taken up by Senator Parson.

SCS for **HCS** for **HB 50**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 50

An Act to repeal sections 382.010, 382.040, 382.050, 382.060, 382.080, 382.095, 382.110, 382.160, 382.170, 382.180, 382.190, 382.195, 382.220, and 382.230, RSMo, and to enact in lieu thereof twenty-nine new sections relating to the business of insurance, with a penalty provision.

Was taken up.

Senator Parson moved that **SCS** for **HCS** for **HB 50** be adopted, which motion prevailed.

On motion of Senator Parson, **SCS** for **HCS** for **HB 50** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 587, entitled:

An Act to repeal sections 361.707, 361.715, 364.030, 364.105, 365.030, 367.140, 407.640, and 408.500, RSMo, and to enact in lieu thereof eight new sections relating to licensing fees paid to the director of the division of finance.

Was called from the Informal Calendar and taken up by Senator Wasson.

Senator Pearce assumed the Chair.

On motion of Senator Wasson, **HCS for HB 587** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	LeVota	Libla	Munzlinger	Onder	Parson
Pearce	Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators

Kraus Schaaf—2

Absent—Senator Richard—1

Absent with leave—Senator Nasheed—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 878, with **SCS**, introduced by Representative Rhoads, entitled:

An Act to repeal section 590.750, RSMo, and to enact in lieu thereof one new section relating to the commissioning of corporate security advisors, with an existing penalty provision.

Was called from the Informal Calendar and taken up by Senator Libla.

SCS for **HB 878**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 878

An Act to repeal section 590.750, RSMo, and to enact in lieu thereof one new section relating to corporate security advisors, with an existing penalty provision.

Was taken up.

Senator Libla moved that **SCS** for **HB 878** be adopted, which motion prevailed.

On motion of Senator Libla, **SCS** for **HB 878** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	LeVota	Libla	Munzlinger	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wieland—31	

NAYS—Senator Kraus—1

Absent—Senator Wasson—1

Absent with leave—Senator Nasheed—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Schmitt assumed the Chair.

HB 629, introduced by Representative Leara, entitled:

An Act to repeal sections 86.1270 and 86.1630, RSMo, and to enact in lieu thereof two new sections relating to retirement benefits.

Was called from the Informal Calendar and taken up by Senator Silvey.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 629, Page 1, In the Title, Line 3, by striking the word “benefits” and inserting in lieu thereof the following: “systems”; and

Further amend said bill, page 6, section 86.1630, line 85, by inserting after all of said line the following:

“169.291. 1. The general administration and the responsibility for the proper operation of the retirement system are hereby vested in a board of trustees of twelve persons who shall be resident taxpayers of the

school district, as follows:

(1) Four trustees to be appointed for terms of four years by the board of education; provided, however, that the terms of office of the first four trustees so appointed shall begin immediately upon their appointment and shall expire one, two, three, and four years from the date the retirement system becomes operative, respectively;

(2) **Until the election in 2016**, four trustees to be elected for terms of four years by and from the members of the retirement system; provided, however, that the terms of office of the first four trustees so elected shall begin immediately upon their election and shall expire one, two, three, and four years from the date the retirement system becomes operative, respectively, **but beginning at the election in 2016, three trustees;**

(3) **Beginning at the election in 2016, one trustee shall be a person employed as a teacher or administrator at a charter school, as “charter school” is defined in section 169.270, elected for a term of four years by and from the members of the retirement system;**

(4) The ninth trustee shall be the superintendent of schools of the school district;

[(4)] (5) The tenth trustee shall be one retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 13, 1986, by the retirants of the retirement system;

[(5)] (6) The eleventh trustee shall be appointed for a term of four years beginning the first day of January immediately following August 13, 1990, by the board of trustees described in subdivision (3) of section 182.701;

[(6)] (7) The twelfth trustee shall be a retirant of the retirement system elected for a term of four years beginning the first day of January immediately following August 28, 1992, by the retirants of the retirement system.

2. If a vacancy occurs in the office of a trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled, except that the board of trustees may appoint a qualified person to fill the vacancy in the office of an elected member until the next regular election at which time a member shall be elected for the unexpired term. No vacancy or vacancies on the board of trustees shall impair the power of the remaining trustees to administer the retirement system pending the filling of such vacancy or vacancies.

3. In the event of a lapse of the school district’s corporate organization as described in subsections 1 and 4 of section 162.081, the general administration and responsibility for the proper operation of the retirement system shall continue to be vested in a twelve-person board of trustees, all of whom shall be resident taxpayers of a city, other than a city not within a county, of four hundred thousand or more. In such event, if vacancies occur in the offices of the four trustees appointed, prior to the lapse, by the board of education, or in the offices of the four trustees elected, prior to the lapse, by the members of the retirement system, or in the office of trustee held, prior to the lapse, by the superintendent of schools in the school district, as provided in subdivisions (1), (2) and (3) of subsection 1 of this section, the board of trustees shall appoint a qualified person to fill each vacancy and subsequent vacancies in the office of trustee for terms of up to four years, as determined by the board of trustees.

4. Each trustee shall, before assuming the duties of a trustee, take the oath of office before the court of the judicial circuit or one of the courts of the judicial circuit in which the school district is located that so

far as it devolves upon the trustee, such trustee shall diligently and honestly administer the affairs of the board of trustees and that the trustee will not knowingly violate or willingly permit to be violated any of the provisions of the law applicable to the retirement system. Such oath shall be subscribed to by the trustee making it and filed in the office of the clerk of the circuit court.

5. Each trustee shall be entitled to one vote in the board of trustees. Seven trustees shall constitute a quorum at any meeting of the board of trustees. At any meeting of the board of trustees where a quorum is present, the vote of at least seven of the trustees in support of a motion, resolution or other matter is necessary to be the decision of the board; provided, however, that in the event of a lapse in the school district's corporate organization as described in subsections 1 and 4 of section 162.081, a majority of the trustees then in office shall constitute a quorum at any meeting of the board of trustees, and the vote of a majority of the trustees then in office in support of a motion, resolution or other matter shall be necessary to be the decision of the board.

6. The board of trustees shall have exclusive original jurisdiction in all matters relating to or affecting the funds herein provided for, including, in addition to all other matters, all claims for benefits or refunds, and its action, decision or determination in any matter shall be reviewable in accordance with chapter 536 or chapter 621. Subject to the limitations of sections 169.270 to 169.400, the board of trustees shall, from time to time, establish rules and regulations for the administration of funds of the retirement system, for the transaction of its business, and for the limitation of the time within which claims may be filed.

7. The trustees shall serve without compensation. The board of trustees shall elect from its membership a chairman and a vice chairman. The board of trustees shall appoint an executive director who shall serve as the administrative officer of the retirement system and as secretary to the board of trustees. It shall employ one or more persons, firms or corporations experienced in the investment of moneys to serve as investment counsel to the board of trustees. The compensation of all persons engaged by the board of trustees and all other expenses of the board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the board of trustees shall approve, and shall be paid from the investment income.

8. The board of trustees shall keep in convenient form such data as shall be necessary for actuarial valuations of the various funds of the retirement system and for checking the experience of the system.

9. The board of trustees shall keep a record of all its proceedings which shall be open to public inspection. It shall prepare annually and furnish to the board of education and to each member of the retirement system who so requests a report showing the fiscal transactions of the retirement system for the preceding fiscal year, the amount of accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system.

10. The board of trustees shall have, in its own name, power to sue and to be sued, to enter into contracts, to own property, real and personal, and to convey the same; but the members of such board of trustees shall not be personally liable for obligations or liabilities of the board of trustees or of the retirement system.

11. The board of trustees shall arrange for necessary legal advice for the operation of the retirement system.

12. The board of trustees shall designate a medical board to be composed of three or more physicians who shall not be eligible for membership in the system and who shall pass upon all medical examinations

required under the provisions of sections 169.270 to 169.400, shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations upon all matters referred to it.

13. The board of trustees shall designate an actuary who shall be the technical advisor of the board of trustees on matters regarding the operation of the retirement system and shall perform such other duties as are required in connection therewith. Such person shall be qualified as an actuary by membership as a Fellow of the Society of Actuaries or by similar objective standards.

14. At least once in each five-year period the actuary shall make an investigation into the actuarial experience of the members, retirants and beneficiaries of the retirement system and, taking into account the results of such investigation, the board of trustees shall adopt for the retirement system such actuarial assumptions as the board of trustees deems necessary for the financial soundness of the retirement system.

15. On the basis of such actuarial assumptions as the board of trustees adopts, the actuary shall make annual valuations of the assets and liabilities of the funds of the retirement system.

16. The rate of contribution payable by the employers shall equal one and ninety-nine one-hundredths percent, effective July 1, 1993; three and ninety-nine one-hundredths percent, effective July 1, 1995; five and ninety-nine one-hundredths percent, effective July 1, 1996; seven and one-half percent effective January 1, 1999, and for subsequent calendar years through 2013. For calendar year 2014 and each subsequent year, the rate of contribution payable by the employers for each year shall be determined by the actuary for the retirement system in the manner provided in subsection 4 of section 169.350 and shall be certified by the board of trustees to the employers at least six months prior to the date such rate is to be effective.

17. In the event of a lapse of a school district's corporate organization as described in subsections 1 and 4 of section 162.081, no retirement system, nor any of the assets of any retirement system, shall be transferred to or merged with another retirement system without prior approval of such transfer or merge by the board of trustees of the retirement system.

169.450. 1. The general administration and responsibility for the proper operation of the retirement system and for making effective the provisions of sections 169.410 to 169.540 are hereby vested in a board of trustees of eleven persons, as follows:

(1) Four trustees to be appointed for terms of four years by the board of education; provided, however, that their terms shall be fixed so the terms of one of the trustees so appointed shall expire each year. The members of such board of trustees appointed by the board of education may be members of the board of education or other individuals deemed qualified to hold such positions by the board of education;

(2) Four trustees to be elected for terms of four years by and from the active members of the retirement system who shall hold office as trustees only while active members; provided, however, that their terms shall be fixed so that the terms of one of the trustees so elected shall expire each year; and provided further, that [not more than] **at least** two of such persons shall be teachers and [two] **not more than one** shall be [nonteachers] **a nonteacher, and beginning in 2016, one shall be a person employed as a teacher or administrator at a charter school, as "charter school" is defined in section 169.270, and elected for a term of four years by the members of the retirement system.** For the purposes of this subsection, a school administrator shall not be eligible for the positions established pursuant to this subdivision and shall be eligible for the position established pursuant to subdivision (4) of this subsection;

(3) Two trustees, who shall be retired members, to be elected for terms of four years by and from the retired members of the retirement system; provided, however, that the terms of office of the first two trustees so elected shall begin immediately upon their election and shall expire two and four years from the date of their election, respectively; and provided further, that not more than one of such persons shall be a teacher and one shall be a nonteacher;

(4) One member, who shall be a school administrator, to be elected for a term of four years by and from the active members of the retirement system who shall hold office as a trustee only while an active member; except that, the initial term of office of such trustee shall expire on December 31, 1999.

2. If a vacancy occurs in the office of trustee, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled. No vacancy or vacancies on the board of trustees shall impair the power of the remaining trustees to administer the retirement system pending the filling of such vacancies.

3. In the event of a lapse of a school district's corporate organization as described in subsections 1 and 4 of section 162.081, or for any other reason, the general administration and the responsibility for the proper operation of the retirement system shall continue to be fully vested in the trustees then currently serving and such trustees shall continue to serve and be elected in the same manner as set forth in this statute as if no lapse had occurred, except that in the event of vacancies occurring in the office of trustees appointed by the board of education prior to the lapse, the board of trustees shall appoint a qualified person or persons to fill such vacancy or vacancies for terms of up to four years.

4. Trustees shall serve without compensation, and any trustee shall be reimbursed from the expense fund for all necessary expenses which the trustee may incur through service on the board of trustees.

5. Each trustee shall, within ten days after such trustee's appointment or election, take an oath of office before the clerk of the circuit court of the judicial circuit in which the school district is located that, so far as it devolves upon the trustee, the trustee will diligently and honestly administer the affairs of the board of trustees and that the trustee will not knowingly violate or willingly permit to be violated any of the provisions of the law applicable to the retirement system. Such oath shall be subscribed to by the trustee making it and filed in the office of the clerk of the circuit court.

6. The circuit court of the judicial circuit in which the school district is located shall have jurisdiction over the members of the board of trustees to require them to account for their official conduct in the management and disposition of the funds and property committed to their charge; to order, decree and compel payment by them to the public school retirement system of their school district of all sums of money, and of the value of all property which may have been improperly retained by them, or transferred to others, or which may have been lost or wasted by any violation of their duties or abuse of their powers as such members of such board; to remove any such member upon proof that the trustee has abused the trustee's trust or has violated the duties of the trustee's office; to restrain and prevent any alienation or disposition of property of such public school retirement system by the members, in cases where it may be threatened, or there is good reason to apprehend that it is intended to be made in fraud of the rights and interests of such public school retirement system. The jurisdiction conferred by sections 169.410 to 169.540 shall be exercised as in ordinary cases upon petition, filed by the board of education of such school district, or by any two members of the board of trustees. Such petition shall be heard in a summary manner after ten days' notice in writing to the member complained of, and an appeal shall lie from the judgment of the circuit court as in other causes and be speedily determined, but such appeal shall not operate under any condition

as a supersedeas of a judgment of removal from office.

7. Each trustee shall be entitled to one vote in the board of trustees. Six votes shall be necessary for a decision by the trustees at any meeting of the board of trustees.

8. Subject to the limitations of sections 169.410 to 169.540, the board of trustees shall, from time to time, establish rules and regulations for the administration of the retirement system, for eligibility for and determination of benefits under the retirement system, for the investment of retirement system assets, and for the transaction of the retirement system's business.

9. The board of trustees shall elect from its membership a chairman and shall, by majority vote of its members, appoint a secretary, who may be, but need not be, one of its members. It shall engage such actuarial and other services as shall be required to transact the business of the retirement system. It shall also engage an investment counselor who shall be experienced in the investment of moneys to advise the trustees on investments of the retirement system. The compensation of all persons engaged by the board of trustees and all other expenses of the board necessary for the operation of the retirement system shall be paid at such rates and in such amounts as the board of trustees shall approve.

10. The board of trustees shall keep in convenient form such data as shall be necessary for actuarial valuations of the assets of the retirement system and for checking the experience of the system.

11. The board of trustees shall keep a record of all its proceedings which shall be open to public inspection. It shall prepare annually and send to the board of education and to each member of the retirement system a report showing the fiscal transactions of the retirement system for the preceding fiscal year, a detailed listing of all salaries and expenditures incurred by the trustees for its operation, the amount of the accumulated cash and securities of the system, and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the retirement system. The board of trustees shall also prepare or cause to be prepared an annual report concerning the operation of the retirement system herein provided for, which report shall be sent by the chairman of the board of trustees to the board of education.

12. The board of trustees shall arrange for necessary legal advice for the operation of the retirement system.

13. The board of trustees shall designate a medical board to be composed of three physicians, none of whom shall be eligible for benefits pursuant to sections 169.410 to 169.540, who shall arrange for and pass upon all medical examinations required pursuant to the provisions of sections 169.410 to 169.540, shall investigate all essential statements and certificates made by or on behalf of a member in connection with an application for disability retirement and shall report in writing to the board of trustees its conclusions and recommendations upon all matters referred to it.

14. The actuary shall be the technical adviser of the board of trustees on matters regarding the operation of the system created by sections 169.410 to 169.540 and shall perform such other duties as are required in connection therewith. Such person shall be qualified as an actuary by membership as a fellow in the Society of Actuaries or by objective standards which are no less stringent than those established by the Society of Actuaries.

15. At least once in each five-year period the actuary shall make an investigation into the actuarial experience of the retirement system, and taking into account the results of such investigation of the experience, the board of trustees shall adopt for the retirement system such actuarial assumptions as shall

be deemed necessary.

16. On the basis of such actuarial assumptions as the board of trustees shall adopt, the actuary shall make an annual valuation of the assets and liabilities of the funds of the retirement system.

17. On the basis of the valuation the board of trustees shall certify the rates of contribution payable by the board of education.”; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Silvey, **HB 629**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wieland—32

NAYS—Senators—None

Absent—Senator Wasson—1

Absent with leave—Senator Nasheed—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HBs 517 and 754, with SCS, entitled:

An Act to repeal sections 143.191, 143.801, and 144.020, RSMo, and to enact in lieu thereof four new sections relating taxation.

Was called from the Informal Calendar and taken up by Senator Kraus.

SCS for HCS for HBs 517 and 754, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILLS NOS. 517 and 754

An Act to repeal sections 143.191, 143.801, and 144.020, RSMo, and to enact in lieu thereof three new sections relating to taxation.

Was taken up.

Senator Kraus offered **SS** for **SCS** for **HCS** for **HBs 517 and 754**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILLS NOS. 517 & 754

An Act to repeal sections 143.191, 143.801, 144.020, 144.049, and 144.080, RSMo, and to enact in lieu thereof five new sections relating to taxation, with an existing penalty provision.

Senator Kraus moved that **SS** for **SCS** for **HCS** for **HBs 517** and **754** be adopted.

Senator Dixon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 517 and 754, Page 1, Section A, Line 4, by inserting after all of said line the following:

“94.579. 1. The governing body of any home rule city with more than one hundred fifty-one thousand five hundred but fewer than one hundred fifty-one thousand six hundred inhabitants is hereby authorized to impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one percent, and shall be imposed solely for the purpose of providing revenues for the operation of public safety departments, including police and fire departments, and for pension programs, and health care for employees and pensioners of the public safety departments. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance shall not become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. If the tax authorized in this section is not approved by the voters, then the city shall have an additional year during which to meet its required contribution payment beyond the time period described in section 105.683. If the city meets its required contribution payment in this time, then, notwithstanding the provisions of section 105.683 to the contrary, the delinquency shall not constitute a lien on the funds of the political subdivision, the board of such plan shall not be authorized to compel payment by application for writ of mandamus, and the state treasurer and the director of the department of revenue shall not withhold twenty-five percent of the certified contribution deficiency from the total moneys due the political subdivision from the state. The one-year extension shall only be available to the city on a one-time basis.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall (insert the name of the city) impose a sales tax at a rate of (up to one) percent, solely for the purpose of providing revenues for the operation of public safety departments of the city?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter immediately following notification to the department of revenue. If a majority of the votes cast on the question by the

qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of any city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Public Safety Protection Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such city. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. The director shall keep accurate records of the amounts in the fund, and such records shall be open to the inspection of the officers of such city and to the public. Not later than the tenth day of each month, the director shall distribute all moneys deposited in the fund during the preceding month to the city. Such funds shall be deposited with the treasurer of the city, and all expenditures of moneys from the fund shall be by an appropriation ordinance enacted by the governing body of the city.

4. On or after the effective date of the tax, the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087 shall apply. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the city may authorize the use of a bracket system similar to that authorized in section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the city shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for the tax and penalties under this section, the limitation for bringing suit for the collection of the delinquent tax and penalties shall be the same as that provided in sections 144.010 to 144.525.

6. The governing body of any city that has adopted the sales tax authorized in this section may submit

the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) repeal the sales tax imposed at a rate of (up to one) percent for the purpose of providing revenues for the operation of public safety departments of the city?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved.

If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. The governing body of any city that has adopted the sales tax authorized in this section shall submit the question of [repeal] **continuation** of the tax to the voters every five years from the date of its inception on a date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) [repeal the] **continue collecting a** sales tax imposed at a rate of (up to one) percent for the purpose of providing revenues for the operation of public safety departments of the city?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are [in favor of repeal, that] **opposed to continuation**, repeal shall become effective on December thirty-first of the calendar year in which such [repeal was] **continuation was failed to be** approved. If a majority of the votes cast on the question by the qualified voters voting thereon are [opposed to the repeal] **in favor of continuation**, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and [the repeal is] **continuation fails to be** approved by a majority of the qualified voters voting on the question.

8. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least two percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified

voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

9. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the city shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.”; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Riddle offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 517 and 754, Page 1, Section A, Line 4 of said page, by inserting after all of said line the following:

“32.069. **1.** Notwithstanding any other provision of law to the contrary, interest shall be allowed and paid on any refund or overpayment at the rate determined by section 32.068 only if the overpayment is not refunded within one hundred twenty days[, or within ninety days in the case of taxes imposed by sections 143.011 and 143.041,] from the latest of the following dates:

(1) The last day prescribed for filing a tax return or refund claim, without regard to any extension of time granted;

(2) The date the return, payment, or claim is filed; or

(3) The date the taxpayer files for a credit or refund and provides accurate and complete documentation to support such claim.

2. Notwithstanding any other provision of law to the contrary, interest shall be allowed and paid on any refund or overpayment at the rate determined by section 32.068 only if the overpayment in the case of taxes imposed by sections 143.011 and 143.041 is not refunded within forty-five days from the date the return or claim is filed.

136.110. **1.** The director of revenue shall promptly record all sums of money collected or received by the director and shall immediately thereafter deposit the same with the state treasurer, excluding all funds received and disbursed by the state on behalf of counties and cities, towns and villages. The state treasurer, upon receipt of any moneys from the director of revenue, shall give his or her receipt therefor, executing the same in triplicate, and shall deliver one copy of such receipt to the director of revenue, one copy to the commissioner of administration, and shall retain the third copy thereof in the files of the state treasurer. The books of the director of revenue shall be audited by the state auditor at such times as may be required by law, and at such other times as may be directed by the governor.

2. For the purposes of this section, the term “promptly” shall mean within two business days.”;
and

Further amend said bill, page 8, section 143.801, line 16 of said page, by inserting after all of said line the following:

“143.811. 1. Under regulations prescribed by the director of revenue, interest shall be allowed and paid at the rate determined by section 32.065 on any overpayment in respect of the tax imposed by sections 143.011 to 143.996; except that, where the overpayment resulted from the filing of an amendment of the tax by the taxpayer after the last day prescribed for the filing of the return, interest shall be allowed and paid at the rate of six percent per annum. With respect to the part of an overpayment attributable to a deposit made pursuant to subsection 2 of section 143.631, interest shall be paid thereon at the rate in section 32.065 from the date of the deposit to the date of refund. No interest shall be allowed or paid if the amount thereof is less than one dollar.

2. For purposes of this section:

(1) Any return filed before the last day prescribed for the filing thereof shall be considered as filed on such last day determined without regard to any extension of time granted the taxpayer;

(2) Any tax paid by the taxpayer before the last day prescribed for its payment, any income tax withheld from the taxpayer during any calendar year, and any amount paid by the taxpayer as estimated income tax for a taxable year shall be deemed to have been paid by him on the fifteenth day of the fourth month following the close of his taxable year to which such amount constitutes a credit or payment.

3. For purposes of this section with respect to any withholding tax:

(1) If a return for any period ending with or within a calendar year is filed before April fifteenth of the succeeding calendar year, such return shall be considered filed April fifteenth of such succeeding calendar year; and

(2) If a tax with respect to remuneration paid during any period ending with or within a calendar year is paid before April fifteenth of the succeeding calendar year, such tax shall be considered paid on April fifteenth of such succeeding calendar year.

4. If any overpayment of tax imposed by sections 143.061 and 143.071 is refunded within four months after the last date prescribed (or permitted by extension of time) for filing the return of such tax or within four months after the return was filed, whichever is later, no interest shall be allowed under this section on overpayment.

5. If any overpayment of tax imposed by sections 143.011 and 143.041 is refunded within [ninety] **forty-five** days after the [last date prescribed or permitted by extension of time for filing the return of such tax] **date the return or claim is filed**, no interest shall be allowed under this section on overpayment.

6. Any overpayment resulting from a carryback, including a net operating loss and a corporate capital loss, shall be deemed not to have been made prior to the close of the taxable year in which the loss arises.

7. Any overpayment resulting from a carryback of a tax credit, including but not limited to the tax credits provided in sections 253.557 and 348.432, shall be deemed not to have been made prior to the close of the taxable year in which the tax credit was authorized.”; and

Further amend the title and enacting clause accordingly.

Senator Riddle moved that the above amendment be adopted, which motion prevailed.

Senator Schatz offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute House Bills Nos. 517 and 754, Page 11, Section 144.020, Line 25, by inserting immediately after said line the following:

“144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's

registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision, “motor vehicle” and “public highway” shall have the meaning as ascribed in section 390.020;

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a “material recovery processing plant” means a facility that has as its primary purpose the recovery of materials into a usable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(6) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(7) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(8) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(9) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(10) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(11) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(12) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(13) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (5) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the

raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(14) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(17) Tangible personal property purchased by a rural water district;

(18) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation, provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this subdivision shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;

(19) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(20) All sales made by or to religious and charitable organizations and institutions in their religious,

charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(21) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (20) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(22) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(23) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term “feed additives” means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term “pesticides” includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term “farm machinery and equipment” means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser’s purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity,

electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(25) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(27) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(28) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided

pursuant to the compact;

(29) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, “headquartered in this state” means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(30) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(31) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(32) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (5) of this subsection;

(33) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(34) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(35) All sales of grain bins for storage of grain for resale;

(36) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(37) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state’s laws. For purposes of this subdivision, the term “certificate of exemption” shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity’s exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state’s law and the applicable provisions of this section;

(38) All sales or other transfers of tangible personal property to a lessor who leases the property under

a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(39) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, “neutral site” means any site that is not located on the campus of a conference member institution participating in the event;

(40) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority’s cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(41) All materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(42) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event;

(43) Any new or used aircraft sold or delivered in this state to a person who is not a resident of this state or a corporation that is not incorporated in this state, and such aircraft is not to be based in this state and shall not remain in this state more than ten business days subsequent to the last to occur of:

(a) The transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state; or

(b) The date of the return to service of the aircraft in accordance with 14 CFR 91.407 for any maintenance, preventive maintenance, rebuilding, alterations, repairs, or installations that are completed contemporaneously with the transfer of title to the aircraft to a person who is not a resident of this state or a corporation that is not incorporated in this state.

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state’s executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an “affiliated person” means any person that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, as amended.”; and

Further amend the title and enacting clause accordingly.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

Senator Emery offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 517 and 754, Page 1, Section A, Line 4 of said page, by inserting after all of said line the following:

“143.161. 1. For all taxable years beginning after December 31, 1997, a resident may deduct one thousand two hundred dollars for each dependent for whom such resident is entitled to a dependency exemption deduction for federal income tax purposes. In the case of a dependent who has attained sixty-five years of age on or before the last day of the taxable year, if such dependent resides in the taxpayer’s home or the dependent’s own home or if such dependent does not receive Medicaid or state funding while residing in a facility licensed pursuant to chapter 198, the taxpayer may deduct an additional one thousand dollars.

2. [For all taxable years beginning before January 1, 1999, a resident who qualifies as an unmarried head of household or as a surviving spouse for federal income tax purposes may deduct an additional eight hundred dollars.] For all taxable years beginning on or after January 1, 1999, a resident who qualifies as an unmarried head of household or as a surviving spouse for federal income tax purposes may deduct an additional one thousand four hundred dollars.

3. For all taxable years beginning on or after January 1, 2015, for each birth for which a certificate of birth resulting in stillbirth has been issued under section 193.165, a taxpayer may claim the exemption under subsection 1 of this section only in the taxable year in which the stillbirth occurred, if the child otherwise would have been a member of the taxpayer’s household.”; and

Further amend the title and enacting clause accordingly.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Hegeman offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitue for House Bills Nos. 517 and 754, Page 1, Section A, Line 4, by inserting after all of said line the following:

“65.620. 1. Whenever any county abolishes township organization the county treasurer and ex officio collector shall immediately settle his accounts as treasurer with the county commission and shall thereafter perform all duties, exercise all powers, have all rights and be subject to all liabilities imposed and conferred upon the county collector of revenue under chapter 52 until the first Monday in March after the general election next following the abolishment of township organization and until a collector of revenue for the county is elected and qualified. The person elected collector at the general election as aforesaid, if that election is not one for collector of revenue under chapter 52, shall serve until the first Monday in March following the election and qualification of a collector of revenue under chapter 52. Upon abolition of township organization a county treasurer shall be appointed to serve until the expiration of the term of such officer pursuant to chapter 54.

2. Upon abolition of township organization, title to all property of all kinds theretofore owned by the several townships of the county shall vest in the county and the county shall be liable for all outstanding obligations and liabilities of the several townships.

3. The terms of office of all township officers shall expire on the abolition of township organization and the township trustee of each township shall immediately settle his accounts with the county clerk and all

township officers shall promptly deliver to the appropriate county officers, as directed by the county commission, all books, papers, records and property pertaining to their offices.

4. For a period of one calendar year following the abolition of the townships or until the voters of the county have approved a tax levy for road and bridge purposes, whichever occurs first, the county collector shall continue to collect a property tax on a county-wide basis in an amount equal to the tax levied by the township that had the lowest total tax rate in the county immediately prior to the abolishment of the townships. The continued collection of the tax shall be considered a continuation of an existing tax and shall not be considered a new tax levy.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SS** for **SCS** for **HCS** for **HBs 517** and **754**, as amended, be adopted, which motion prevailed.

Senator Kraus moved that **SS** for **SCS** for **HCS** for **HBs 517** and **754**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Dempsey referred **SS** for **SCS** for **HCS** for **HBs 517** and **754**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Kehoe submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 38**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 39**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 18**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 26**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HCR 32**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate further conference on **HCS** for **SB 104**, as amended.

Also, the Speaker of the House has appointed the following conferees. Representatives: Dugger, Entlicher, Alferman, Conway (10) and Newman.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 282** entitled:

An Act to repeal sections 375.534, 375.1070, 375.1072, 379.118, 379.120, and 379.470, RSMo, and to enact in lieu thereof fourteen new sections relating to property and casualty insurance procedures.

With House Amendment Nos. 1, 2 and 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 282, Page 8, Section 375.1605, Line 110, by inserting after all of said line the following:

“376.791 1. The provisions of subdivisions (4) and (5) of subsection 2 of section 376.777 shall not apply to any individual health insurance coverage. The term “individual health insurance coverage” shall have the meaning assigned to it in section 376.450, RSMo.

2. The director shall promulgate rules and regulations to implement and administer the provisions of this section prior to January 1, 2016. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 282, Page 11, Section 379.473, Lines 1-5, by deleting all of said lines and inserting in lieu thereof the following:

“379.473. 1. A rating difference that results from application of a rating plan that is intended to control rate changes applicable to a current policyholder upon renewal of the policy or the transfer of a policy in force among insurers shall be permitted and such a rating difference shall not be considered excessive, inadequate, or unfairly discriminatory under section 379.318 or section 379.470, and shall not be deemed an unfair trade practice under sections 375.930 to 375.948 or a violation of section 379.356.

2. The provisions of this section shall apply to personal and commercial lines of property and casualty insurance. The director may exclude, by rule, the lines of workers’ compensation insurance, medical malpractice insurance, and surety bonds from the applicability of this section.

3. The director may promulgate any rules necessary to implement and administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend said bill, Page 12, Section 379.1706, Line 18, by inserting at the end of said line the following:

“A transportation network company shall not include shared expense carpooling or vanpooling services.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 282, Page 1, In the Title, Line 3, by deleting the words “property and casualty”; and

Further amend said bill, Page 8, Section 375.1605, Line 110, by inserting after all of said section and line the following:

“376.1950. 1. Subject to any limitations a federal agency or federal law may impose on health carriers, any health carrier that offers or issues individual health benefit plans which are delivered, issued for delivery, continued, or renewed in this state shall make available to its appointed insurance producers its individual health benefit plan premiums and plans no later than twenty-one days prior to the beginning of the annual enrollment period, in accordance with federal law.

2. Such health carrier may provide its health benefit plan monthly premiums and summary of benefits to its appointed insurance producers in a format determined by the health carrier.

3. No provision in this section shall be construed to provide the department of insurance, financial institutions and professional registration with approval authority over any health benefit premiums or plans.

4. As used in this section, the term “health carrier” shall have the same meaning assigned to it as in section 376.1350.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 318**.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 318, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

“227.428. The portion of Business Highway 71 from the Interstate 29 intersection traveling north for two miles and located in Andrew County shall be designated as the “Randy Bever Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway with the cost for such designation to be paid by private donation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 318, Page 1, In the Title, Lines 2-3, by deleting the words “the designation of a highway” and inserting in lieu thereof the words “highway designations”; and

Further amend said bill and page, Section A, Line 2, by inserting immediately after all of said section the following:

“227.524. The portion of Highway 10 from the western border of the city limits of Norborne in Carroll County to the eastern border of the city limits of Hardin in Ray County shall be designated the “Ray-Carroll County Veterans Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway with costs to be paid by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SB 270**, entitled:

An Act to repeal sections 86.200, 86.213, 86.237, 86.250, 86.251, 86.257, 86.263, 86.270, 86.320, 169.141, 169.291, 169.324, 169.450, 169.560, and 169.715, RSMo, and to enact in lieu thereof fifteen new sections relating to public retirement systems.

With House Amendment Nos. 1, 2, 3, 4 and 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 13, Section 86.320, Line 22, by inserting after all of said line the following:

“104.037. If a retired member of the Missouri department of transportation and highway patrol employees’ retirement system or the Missouri state employees’ retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits, increased by an additional amount to account for interest which would have accrued should the retirement benefits not have been paid, such member shall be considered an active member of the retirement system, and upon retirement, the member’s creditable service shall be calculated as if the member had never retired and received any retirement benefits.

104.380. **1. Except as provided in subsection 2 of this section,** if a retired member is elected to any state office or is appointed to any state office or is employed by a department in a position normally requiring the performance by the person of duties during not less than one thousand forty hours per year, the member shall not receive an annuity for any month or part of a month for which the member serves as an officer or employee, but the member shall be considered to be a new employee with no previous creditable service and must accrue creditable service continuously for at least one year in order to receive any additional annuity. Any retired member who again becomes an employee and who accrues additional creditable service and later retires shall receive an additional amount of monthly annuity calculated to include only the creditable service and the average compensation earned by the member since such employment or creditable service earned as a member of the general assembly. Years of membership service and twelfths of a year are to be used in calculating any additional annuity except for creditable service earned as a member of the general assembly, and such additional annuity shall be based on the type of service accrued. In either event, the original annuity and the additional annuity, if any, shall be paid commencing with the end of the first month after the month during which the member's term of office has been completed, or the member's employment terminated. If a retired member is employed by a department in a position that does not normally require the person to perform duties during at least one thousand forty hours per year, the member shall not be considered an employee as defined pursuant to section 104.010. A retired member who becomes reemployed as an employee on or after August 28, 2001, in a position covered by the Missouri department of transportation and highway patrol employees' retirement system shall not be eligible to receive retirement benefits or additional creditable service from the state employees' retirement system. Annual benefit increases paid under section 104.415 shall not accrue while a retired member is employed as described in this section. Any future annual benefit increases paid after the member terminates such employment will be paid in the same month as the member's original annual benefit increases were paid. Benefits paid under subsection 3 of section 104.374 are not applicable to any additional annuity paid under this section.

2. If a retired member of the Missouri department of transportation and highway patrol employees' retirement system or the Missouri state employees' retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits, increased by an additional amount to account for interest which would have accrued should the retirement benefits not have been paid, such member shall be considered an active member of the retirement system, and upon retirement, the member's creditable service shall be calculated as if the member had never retired and received any retirement benefits.

104.1039. **1. Except as provided in subsection 2 of this section,** if a retiree is employed as an employee by a department, the retiree shall not receive an annuity payment for any calendar month in which the retiree is so employed. While reemployed the retiree shall be considered to be a new employee with no previous credited service and must accrue credited service continuously for at least one year in order to receive any additional annuity. Such retiree shall receive an additional annuity in addition to the original annuity, calculated based only on the credited service and the pay earned by such retiree during reemployment and paid in accordance with the annuity option originally elected; provided such retiree who ceases to receive an annuity pursuant to this section shall not receive such additional annuity if such retiree is employed by a department in a position that is covered by a state-sponsored defined benefit retirement plan not created pursuant to this chapter. The original annuity and any additional annuity shall be paid commencing as of the end of the first month after the month during which the retiree's reemployment

terminates. Cost-of-living adjustments paid under section 104.1045 shall not accrue while a retiree is employed as described in this section. Any future cost-of-living adjustments paid after the retiree terminates such employment will be paid in the same month as the retiree's original annual benefit increases were paid.

2. If a retired member of the Missouri department of transportation and highway patrol employees' retirement system or the Missouri state employees' retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits, increased by an additional amount to account for interest which would have accrued should the retirement benefits not have been paid, such member shall be considered an active member of the retirement system, and upon retirement, the member's creditable service shall be calculated as if the member had never retired and received any retirement benefits."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 13, Section 86.320, Line 22, by inserting after all of said line the following:

"105.669. 1. Any participant of a plan who is [found guilty] **convicted** of a felony offense listed in subsection 3 of this section, which is committed in direct connection with or directly related to the participant's duties as an employee on or after August 28, 2014, shall not be eligible to receive any retirement benefits from the respective plan based on service rendered on or after August 28, 2014, except a participant may still request from the respective retirement system a refund of the participant's plan contributions, including interest credited to the participant's account.

2. [Upon a finding of guilt, the court shall forward a notice of the court's finding to] **The employer of any participant who is charged or convicted of a felony offense listed in subsection 3 of this section, which is committed in direct connection with or directly related to the participant's duties as an employee on or after August 28, 2014, shall notify** the appropriate retirement system in which the offender was a participant[. The court shall also make a determination on the value of the money, property, or services involved in committing the offense] **and provide information in connection with such charge or conviction.** The plans shall take all actions necessary to implement the provisions of this section.

3. The finding of guilt for any of the following offenses or a substantially similar offense provided under federal law shall result in the ineligibility of retirement benefits as provided in subsection 1 of this section:

(1) The offense of felony stealing under section 570.030 when such offense involved money, property, or services valued at five thousand dollars or more as determined by the court;

(2) The offense of felony receiving stolen property under section 570.080 when such offense involved money, property, or services valued at five thousand dollars or more as determined by the court;

(3) The offense of forgery under section 570.090;

(4) The offense of felony counterfeiting under section 570.103;

(5) The offense of bribery of a public servant under section 576.010; or

(6) The offense of acceding to corruption under section 576.020.";

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 13, Section 86.320, Line 22, by inserting after said line the following:

“104.403. 1. Any state employee or retiree, **but not including a current or former member of the general assembly or statewide elected official**, who retires pursuant to section 104.404, and who is also eligible for medical coverage as described in section 103.115, shall be eligible to apply for the following coverage:

(1) Such retiree may elect to continue coverage for himself or herself and any eligible dependents at the same cost as if such retiree was an active employee;

(2) Such retiree may continue to pay the applicable rate as if the retiree were an active employee for a maximum period of five years or upon becoming eligible for Medicare, whichever occurs first; and

(3) After five years or upon becoming eligible for Medicare, the cost for medical coverage for such retiree and any dependents shall revert to the applicable rate in place at that time.

2. Any employee [or retiree] of a participating member agency who retires pursuant to section 104.404 shall only be eligible to have the provisions of subsection 1 of this section applied to his or her coverage if the governing body of the participating member agency elects to provide such benefits.

3. The governing boards of Truman State University, Lincoln University, the educational institutions described in section 174.020, the highway commission that governs the health care plans of the Missouri department of transportation and the Missouri state highway patrol, and the conservation commission of the department of conservation may elect to provide its employees or retirees who retire pursuant to section 104.404 the same benefits as described in subsection 1 of this section under the respective medical plans of those institutions and departments. [If the highway commission elects to provide retirees the benefits of this section, any special consultant pursuant to section 104.515 who is a member of the Missouri department of transportation and Missouri state highway patrol medical and life insurance plan and who retired on or after February 1, 2003, but prior to July 1, 2003, shall be eligible to receive the benefits of this section.]

104.404. 1. An employee who has not been a retiree of the system in which such employee is currently receiving creditable or credited service, who is eligible to receive a normal annuity pursuant to section 104.080, 104.090, 104.100, 104.271, or 104.400, or a life and any temporary annuity pursuant to section 104.1024, and whose annuity commences no later than [September 1, 2003,] **November 1, 2015**, shall be eligible to receive the medical benefits described in section 104.403.

2. [An employee who would be eligible to receive a normal annuity pursuant to section 104.080, 104.090, 104.100, 104.271, or 104.400, or a life and any temporary annuity pursuant to section 104.1024, no later than January 1, 2004, shall be eligible to retire based on the employee's creditable or credited service and the average compensation or final average pay on the employee's date of termination of employment if the employee applies to retire and whose annuity commences no later than September 1, 2003. Such employee who so retires shall be eligible to receive the medical benefits described in subsection 1 of this section.

3. Any employee described in subsections 1 and 2 of this section who otherwise would be eligible to elect to receive benefits under the provisions of sections 104.625 and 104.1024, by no later than January 1, 2004, shall be eligible to elect to receive benefits pursuant to sections 104.625 and 104.1024; except that in no event shall a lump sum payment be made for any time period after the employee's annuity starting date.

4.] A retiree whose retirement annuity commenced on or after [February 1, 2003] **March 1, 2015**, but no later than [September 1, 2003] **November 1, 2015**, shall be eligible to receive the medical benefits described in section 104.403.

[5.] **3.** The state may hire employees to replace those employees retiring pursuant to this section and section 104.403, except that departments shall not fill more than twenty-five percent of those positions vacated. Exceptions to the twenty-five percent restriction may be made for critical or seasonal positions or positions which are entirely federally funded. Such determination shall be made by rule and regulation promulgated by the office of administration. The provisions of this subsection shall not apply to Truman University, Lincoln University or the educational institutions described in section 174.020.

[6.] **4.** Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, [2003] **2015**, shall be invalid and void.

[7.] **5.** The Missouri state employees' retirement system and the highways and transportation employees' and highway patrol retirement system, **if applicable**, shall make a report in writing to the governor[,] **and** commissioner of administration[, and the general assembly by April 1, 2004,] **by December 1, 2015**, and in addition shall provide [monthly tracking] **a report** of the effect of state employee retirements pursuant to this section and section 104.403. [The report shall cover the time period of February 1, 2003, to January 31, 2004.] The report shall include the number of such retirements, the amount of payroll affected as a result of retirements, and the financial effect of such retirements as expressed in a report by each system's actuary.

[8.] **6.** The office of administration shall make a report in writing to the governor and the general assembly by [April 1, 2004,] **March 1, 2016**, and in addition shall provide [monthly tracking] **a report** of the budgetary effect of state employee retirements [pursuant] **relative to the effect of** this section and section 104.403. The report shall include the amount of payroll reduced as a result of such retirements, the number of positions that are core cut as a result of such retirements, the number of employees employed to replace those who retired pursuant to this section, and the financial effect on the budget, including any costs associated with payment of medical premiums by the state.

[9.] **7.** The Missouri consolidated health care plan shall make a report in writing to the [governor and the general assembly by April 1, 2004, and in addition shall provide monthly tracking] **office of administration by December 1, 2015**, of the effect of state not be limited to, the amount of payroll reduced as a result of such retirements, the number of positions that are core cut as a result of such retirements, the number of employees employed to replace those who retired pursuant to this section, and the financial effect on the budget, including any costs associated with payment of medical premiums by the state.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 13, Section 86.320, Line 22, by inserting after all of said line the following:

“169.070. 1. The retirement allowance of a member whose age at retirement is sixty years or more and whose creditable service is five years or more, or whose sum of age and creditable service equals eighty years or more, or who has attained age fifty-five and whose creditable service is twenty-five years or more or whose creditable service is thirty years or more regardless of age, may be the sum of the following items, not to exceed one hundred percent of the member’s final average salary:

(1) Two and five-tenths percent of the member’s final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years. In lieu of the retirement allowance otherwise provided in subdivisions (1) and (2) of this subsection, a member may elect to receive a retirement allowance of:

(3) Two and four-tenths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-nine years or more but less than thirty years, and the member has not attained age fifty-five;

(4) Two and thirty-five-hundredths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-eight years or more but less than twenty-nine years, and the member has not attained age fifty-five;

(5) Two and three-tenths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-seven years or more but less than twenty-eight years, and the member has not attained age fifty-five;

(6) Two and twenty-five-hundredths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-six years or more but less than twenty-seven years, and the member has not attained age fifty-five;

(7) Two and two-tenths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is twenty-five years or more but less than twenty-six years, and the member has not attained age fifty-five;

(8) [Between July 1, 2001, and July 1, 2014,] Two and fifty-five hundredths percent of the member’s final average salary for each year of membership service, if the member’s creditable service is thirty-one years or more regardless of age.

2. In lieu of the retirement allowance provided in subsection 1 of this section, a member whose age is sixty years or more on September 28, 1975, may elect to have the member’s retirement allowance calculated as a sum of the following items:

(1) Sixty cents plus one and five-tenths percent of the member’s final average salary for each year of membership service;

(2) Six-tenths of the amount payable for a year of membership service for each year of prior service not exceeding thirty years;

(3) Three-fourths of one percent of the sum of subdivisions (1) and (2) of this subsection for each month of attained age in excess of sixty years but not in excess of age sixty-five.

3. (1) In lieu of the retirement allowance provided either in subsection 1 or 2 of this section, collectively called “option 1”, a member whose creditable service is twenty-five years or more or who has attained the

age of fifty-five with five or more years of creditable service may elect in the member's application for retirement to receive the actuarial equivalent of the member's retirement allowance in reduced monthly payments for life during retirement with the provision that:

Option 2. Upon the member's death the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member as the member shall have nominated in the member's election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the retired member elected option 1;

OR

Option 3. Upon the death of the member three-fourths of the reduced retirement allowance shall be continued throughout the life of and paid to such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance will be increased to the amount the retired member would be receiving had the member elected option 1;

OR

Option 4. Upon the death of the member one-half of the reduced retirement allowance shall be continued throughout the life of, and paid to, such person as has an insurable interest in the life of the member and as the member shall have nominated in an election of the option, and provided further that if the person so nominated dies before the retired member, the retirement allowance shall be increased to the amount the retired member would be receiving had the member elected option 1;

OR

Option 5. Upon the death of the member prior to the member having received one hundred twenty monthly payments of the member's reduced allowance, the remainder of the one hundred twenty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the one hundred twenty monthly payments, the total of the remainder of such one hundred twenty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the one hundred twenty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the beneficiary in a lump sum;

OR

Option 6. Upon the death of the member prior to the member having received sixty monthly payments of the member's reduced allowance, the remainder of the sixty monthly payments of the reduced allowance shall be paid to such beneficiary as the member shall have nominated in the member's election of the option or in a subsequent nomination. If there is no beneficiary so nominated who survives the member for the remainder of the sixty monthly payments, the total of the remainder of such sixty monthly payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the last person, in that order of precedence, to receive a monthly allowance in a lump sum payment. If the total of the sixty payments paid to the retired individual and the beneficiary of the retired individual is less than the total of the member's accumulated contributions, the difference shall be paid to the

beneficiary in a lump sum.

(2) The election of an option may be made only in the application for retirement and such application must be filed prior to the date on which the retirement of the member is to be effective. If either the member or the person nominated to receive the survivorship payments dies before the effective date of retirement, the option shall not be effective, provided that:

(a) If the member or a person retired on disability retirement dies after acquiring twenty-five or more years of creditable service or after attaining the age of fifty-five years and acquiring five or more years of creditable service and before retirement, except retirement with disability benefits, and the person named by the member as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either survivorship benefits under option 2 or a payment of the accumulated contributions of the member. If survivorship benefits under option 2 are elected and the member at the time of death would have been eligible to receive an actuarial equivalent of the member's retirement allowance, the designated beneficiary may further elect to defer the option 2 payments until the date the member would have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section;

(b) If the member or a person retired on disability retirement dies before attaining age fifty-five but after acquiring five but fewer than twenty-five years of creditable service, and the person named as the member's beneficiary has an insurable interest in the life of the deceased member, the designated beneficiary may elect to receive either a payment of the member's accumulated contributions, or survivorship benefits under option 2 to begin on the date the member would first have been eligible to receive an actuarial equivalent of the member's retirement allowance, or to begin on the date the member would first have been eligible to receive the retirement allowance provided in subsection 1 or 2 of this section.

4. If the total of the retirement or disability allowance paid to an individual before the death of the individual is less than the accumulated contributions at the time of retirement, the difference shall be paid to the beneficiary of the individual, or to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the individual in that order of precedence. If an optional benefit as provided in option 2, 3 or 4 in subsection 3 of this section had been elected, and the beneficiary dies after receiving the optional benefit, and if the total retirement allowance paid to the retired individual and the beneficiary of the retired individual is less than the total of the contributions, the difference shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence, unless the retired individual designates a different recipient with the board at or after retirement.

5. If a member dies and his or her financial institution is unable to accept the final payment or payments due to the member, the final payment or payments shall be paid to the beneficiary of the member or, if there is no beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated. If the beneficiary of a deceased member dies and his or her financial institution is unable to accept the final payment or payments, the final payment or payments shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the member, in that order of precedence, unless otherwise stated.

6. If a member dies before receiving a retirement allowance, the member's accumulated contributions at the time of the death of the member shall be paid to the beneficiary of the member or, if there is no

beneficiary, to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or to the estate of the member, in that order of precedence; except that, no such payment shall be made if the beneficiary elects option 2 in subsection 3 of this section, unless the beneficiary dies before having received benefits pursuant to that subsection equal to the accumulated contributions of the member, in which case the amount of accumulated contributions in excess of the total benefits paid pursuant to that subsection shall be paid to the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the beneficiary, in that order of precedence.

7. If a member ceases to be a public school employee as herein defined and certifies to the board of trustees that such cessation is permanent, or if the membership of the person is otherwise terminated, the member shall be paid the member's accumulated contributions with interest.

8. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, if a member ceases to be a public school employee after acquiring five or more years of membership service in Missouri, the member may at the option of the member leave the member's contributions with the retirement system and claim a retirement allowance any time after reaching the minimum age for voluntary retirement. When the member's claim is presented to the board, the member shall be granted an allowance as provided in sections 169.010 to 169.141 on the basis of the member's age, years of service, and the provisions of the law in effect at the time the member requests the member's retirement to become effective.

9. The retirement allowance of a member retired because of disability shall be nine-tenths of the allowance to which the member's creditable service would entitle the member if the member's age were sixty, or fifty percent of one-twelfth of the annual salary rate used in determining the member's contributions during the last school year for which the member received a year of creditable service immediately prior to the member's disability, whichever is greater, except that no such allowance shall exceed the retirement allowance to which the member would have been entitled upon retirement at age sixty if the member had continued to teach from the date of disability until age sixty at the same salary rate.

10. Notwithstanding any provisions of sections 169.010 to 169.141 to the contrary, from October 13, 1961, the contribution rate pursuant to sections 169.010 to 169.141 shall be multiplied by the factor of two-thirds for any member of the system for whom federal Old Age and Survivors Insurance tax is paid from state or local tax funds on account of the member's employment entitling the person to membership in the system. The monetary benefits for a member who elected not to exercise an option to pay into the system a retroactive contribution of four percent on that part of the member's annual salary rate which was in excess of four thousand eight hundred dollars but not in excess of eight thousand four hundred dollars for each year of employment in a position covered by this system between July 1, 1957, and July 1, 1961, as provided in subsection 10 of this section as it appears in RSMo, 1969, shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, and prior to July 1, 1961, the benefits provided in this section as it appears in RSMo, 1959; except that if the member has at least thirty years of creditable service at retirement the member shall receive the benefit payable pursuant to that section as though the member's age were sixty-five at retirement;

(4) For years of membership service after July 1, 1961, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

11. The monetary benefits for each other member for whom federal Old Age and Survivors Insurance tax is or was paid at any time from state or local funds on account of the member's employment entitling the member to membership in the system shall be the sum of:

(1) For years of service prior to July 1, 1946, six-tenths of the full amount payable for years of membership service;

(2) For years of membership service after July 1, 1946, in which the full contribution rate was paid, full benefits under the formula in effect at the time of the member's retirement;

(3) For years of membership service after July 1, 1957, in which the two-thirds contribution rate was paid, two-thirds of the benefits under the formula in effect at the time of the member's retirement.

12. Any retired member of the system who was retired prior to September 1, 1972, or beneficiary receiving payments under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 1, 1972, will be eligible to receive an increase in the retirement allowance of the member of two percent for each year, or major fraction of more than one-half of a year, which the retired member has been retired prior to July 1, 1975. This increased amount shall be payable commencing with January, 1976, and shall thereafter be referred to as the member's retirement allowance. The increase provided for in this subsection shall not affect the retired member's eligibility for compensation provided for in section 169.580 or 169.585, nor shall the amount being paid pursuant to these sections be reduced because of any increases provided for in this section.

13. If the board of trustees determines that the cost of living, as measured by generally accepted standards, increases two percent or more in the preceding fiscal year, the board shall increase the retirement allowances which the retired members or beneficiaries are receiving by two percent of the amount being received by the retired member or the beneficiary at the time the annual increase is granted by the board with the provision that the increases provided for in this subsection shall not become effective until the fourth January first following the member's retirement or January 1, 1977, whichever later occurs, or in the case of any member retiring on or after July 1, 2000, the increase provided for in this subsection shall not become effective until the third January first following the member's retirement, or in the case of any member retiring on or after July 1, 2001, the increase provided for in this subsection shall not become effective until the second January first following the member's retirement. Commencing with January 1, 1992, if the board of trustees determines that the cost of living has increased five percent or more in the preceding fiscal year, the board shall increase the retirement allowances by five percent. The total of the increases granted to a retired member or the beneficiary after December 31, 1976, may not exceed eighty percent of the retirement allowance established at retirement or as previously adjusted by other subsections. If the cost of living increases less than five percent, the board of trustees may determine the percentage of increase to be made in retirement allowances, but at no time can the increase exceed five percent per year. If the cost of living decreases in a fiscal year, there will be no increase in allowances for retired members on the following January first.

14. The board of trustees may reduce the amounts which have been granted as increases to a member pursuant to subsection 13 of this section if the cost of living, as determined by the board and as measured by generally accepted standards, is less than the cost of living was at the time of the first increase granted to the member; except that, the reductions shall not exceed the amount of increases which have been made

to the member's allowance after December 31, 1976.

15. Any application for retirement shall include a sworn statement by the member certifying that the spouse of the member at the time the application was completed was aware of the application and the plan of retirement elected in the application.

16. Notwithstanding any other provision of law, any person retired prior to September 28, 1983, who is receiving a reduced retirement allowance under option 1 or option 2 of subsection 3 of this section, as such option existed prior to September 28, 1983, and whose beneficiary nominated to receive continued retirement allowance payments under the elected option dies or has died, shall upon application to the board of trustees have his or her retirement allowance increased to the amount he or she would have been receiving had the option not been elected, actuarially adjusted to recognize any excessive benefits which would have been paid to him or her up to the time of application.

17. Benefits paid pursuant to the provisions of the public school retirement system of Missouri shall not exceed the limitations of Section 415 of Title 26 of the United States Code except as provided pursuant to this subsection. Notwithstanding any other law to the contrary, the board of trustees may establish a benefit plan pursuant to Section 415(m) of Title 26 of the United States Code. Such plan shall be created solely for the purpose described in Section 415(m)(3)(A) of Title 26 of the United States Code. The board of trustees may promulgate regulations necessary to implement the provisions of this subsection and to create and administer such benefit plan.

18. Notwithstanding any other provision of law to the contrary, any person retired before, on, or after May 26, 1994, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive an amount based on the person's years of service so that the total amount received pursuant to sections 169.010 to 169.141 shall be at least the minimum amounts specified in subdivisions (1) to (4) of this subsection. In determining the minimum amount to be received, the amounts in subdivisions (3) and (4) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance. In determining the minimum amount to be received, beginning September 1, 1996, the amounts in subdivisions (1) and (2) of this subsection shall be adjusted in accordance with the actuarial adjustment, if any, that was applied to the person's retirement allowance due to election of an optional form of retirement having a continued monthly payment after the person's death. Notwithstanding any other provision of law to the contrary, no person retired before, on, or after May 26, 1994, and no beneficiary of such a person, shall receive a retirement benefit pursuant to sections 169.010 to 169.141 based on the person's years of service less than the following amounts:

- (1) Thirty or more years of service, one thousand two hundred dollars;
- (2) At least twenty-five years but less than thirty years, one thousand dollars;
- (3) At least twenty years but less than twenty-five years, eight hundred dollars;
- (4) At least fifteen years but less than twenty years, six hundred dollars.

19. Notwithstanding any other provisions of law to the contrary, any person retired prior to May 26, 1994, and any designated beneficiary of such a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement or aging and upon request shall give written or oral opinions to the board in response

to such requests. Beginning September 1, 1996, as compensation for such service, the member shall have added, pursuant to this subsection, to the member's monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. Beginning September 1, 1999, the designated beneficiary of the deceased member shall as compensation for such service have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to the lesser of sixty dollars or the product of two dollars multiplied by the member's number of years of creditable service. The total compensation provided by this section including the compensation provided by this subsection shall be used in calculating any future cost-of-living adjustments provided by subsection 13 of this section.

20. Any member who has retired prior to July 1, 1998, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties the person shall receive a payment equivalent to eight and seven-tenths percent of the previous month's benefit, which shall be added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

21. Any member who has retired shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such request. As compensation for such duties, the beneficiary of the retired member, or, if there is no beneficiary, the surviving spouse, surviving children in equal shares, surviving parents in equal shares, or estate of the retired member, in that order of precedence, shall receive as a part of compensation for these duties a death benefit of five thousand dollars.

22. Any member who has retired prior to July 1, 1999, and the designated beneficiary of a retired member who was deceased prior to July 1, 1999, shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall have added, pursuant to this subsection, to the monthly annuity as provided by this section a dollar amount equal to five dollars times the member's number of years of creditable service.

23. Any member who has retired prior to July 1, 2000, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a payment equivalent to three and five-tenths percent of the previous month's benefit, which shall be added to the member or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received.

24. Any member who has retired prior to July 1, 2001, and the designated beneficiary of a deceased retired member shall be made, constituted, appointed and employed by the board as a special consultant on the matters of education, retirement and aging, and upon request shall give written or oral opinions to the board in response to such requests. As compensation for such duties, the person shall receive a dollar amount equal to three dollars times the member's number of years of creditable service, which shall be

added to the member's or beneficiary's monthly annuity and which shall not be subject to the provisions of subsections 13 and 14 of this section for the purposes of the limit on the total amount of increases which may be received."; and

Further amend said bill, Page 26, Section 169.715, Line 33, by inserting after all of said line the following:

"Section B. Because of the importance of providing an additional retirement allowance option to Missouri teachers, section 169.070 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 169.070 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 270, Page 13, Section 86.320, Line 22, by inserting after said line the following:

"105.927. The treasurer of the state of Missouri shall credit an amount not to exceed [seventy-five] **one hundred** dollars per month, to a plan established pursuant to the provisions of the Internal Revenue Code Section 401(a) for each participant in the state's deferred compensation program; provided that funds to be credited to each participant's account shall not exceed the amount appropriated by the general assembly for each participant. Such funds may be credited to each participant directly by a state agency if that agency's payroll is not issued through the treasurer of the state of Missouri. Funds so credited shall be held, administered and invested as provided in sections 105.900 to 105.925 and the plan document adopted for the administration of such contributions."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 104**, as amended: Senators Kraus, Wasson, Hegeman, Keaveny and Schupp.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HCS** for **HJR 34**, with **SCS**; **SS** for **SB 373**; and **SS No. 2** for **SCS** for **SBs 199, 417 and 42**, begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF SENATE BILLS

SS for **SB 373**, introduced by Senator Libla, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 373

An Act to repeal section 311.730, RSMo, and to enact in lieu thereof two new sections relating to the establishment of the division of alcohol and tobacco control fund.

Was taken up.

On motion of Senator Libla, **SS** for **SB 373** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson—31	

NAYS—Senator Schaaf—1

Absent—Senators

Curls Wieland—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SS No. 2 for **SCS** for **SBs 199, 417** and **42**, introduced by Senator Dixon, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 199, 417 and 42

An Act to repeal section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, RSMo, and to enact in lieu thereof two new sections relating to actions committed by government officials, with an emergency clause for a certain section and an effective date for a certain section.

Was taken up.

President Pro Tem Dempsey assumed the Chair.

On motion of Senator Dixon, **SS No. 2** for **SCS** for **SBs 199, 417** and **42** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators

Nasheed Schaaf—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaefer	Schatz	Schmitt
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators

Nasheed Schaaf—2

Absent—Senator Onder—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 514, introduced by Representative Leara, entitled:

An Act to repeal section 99.845, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

Was called from the Informal Calendar and taken up by Senator Schmitt.

Senator Richard offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 514, Pages 1-10, Section 99.845, by striking all of said section and inserting in lieu thereof the following:

“99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the “Special Allocation Fund” of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in such taxing district’s levy rate for ad valorem tax on real property, any additional revenues generated within an existing redevelopment project area that are directly attributable to the newly voter-approved incremental increase in such taxing district’s levy rate shall not be considered payments in lieu of taxes subject to deposit into a special allocation fund without the consent of such taxing district. Revenues will be considered directly attributable to the newly voter-approved incremental increase to the extent that they are generated from the difference between the taxing district’s actual levy rate currently imposed and the maximum voter-approved levy rate at the time that the redevelopment project was adopted. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850.

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to Article VI, Section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes.

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to Article VI, Section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of Article III, Section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of Section 6 of Article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, taxes imposed on sales pursuant to subsection 2 of section 67.1712 for the purpose of operating and maintaining a metropolitan park and recreation district, licenses, fees or special assessments other than

payments in lieu of taxes and penalties and interest thereon, any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, or for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes imposed on sales under and pursuant to section 67.700 or 650.399 for the purpose of emergency communication systems, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in such taxing district's sales tax or use tax, other than the renewal of an expiring sales or use tax, any additional revenues generated within an existing redevelopment project area that are directly attributable to the newly voter-approved incremental increase in such taxing district's levy rate shall not be considered economic activity taxes subject to deposit into a special allocation fund without the consent of such taxing district.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's

adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to **the following:**

(1) Blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

[1] (a) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

[2] (b) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand;

(2) Blighted areas consisting solely of the site of a former automobile manufacturing plant located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants. For the purposes of this section, "former automobile manufacturing plant" means a redevelopment area containing a minimum of one hundred acres, and such redevelopment area was previously used primarily for the manufacture of automobiles but ceased such manufacturing after the 2007 calendar year; or

(3) Blighted areas consisting solely of the site of a former insurance company national service center containing a minimum of one hundred acres located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to

[subsections 4 and 5] **subsection 4** of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; [and]

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

- (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
- (t) The total number of full-time equivalent positions in the development area;
- (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
- (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
- (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
- (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
- (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
- (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
- (aa) A list of other community and economic benefits to result from the project;
- (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;
- (cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;
- (dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;
- (ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;
- (ff) A list of competing businesses in the county containing the development area and in each contiguous county;
- (gg) A market study for the development area;
- (hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;
- (2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his

or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars; **provided, however, that such thirty-two million dollar cap shall not apply to redevelopment plans or projects initially listed by name in the applicable appropriations bill after August 28, 2015, which involve either:**

(a) A former automobile manufacturing plant; or

(b) The retention of a federal employer employing over two thousand geospatial intelligence jobs.

At no time shall the annual amount of the new state revenues for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans and projects eligible under the provisions of paragraph (a) of this subdivision exceed four million dollars in the aggregate. At no time shall the annual amount of the new state revenues for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans and projects eligible under the provisions of paragraph (b) of this subdivision exceed twelve million dollars in the aggregate. To the extent a redevelopment plan or project independently meets the eligibility criteria set forth in both paragraphs (a) and (b) of this subdivision, then at no such time shall the annual amount of new state revenues for disbursements from the Missouri supplemental tax increment financing fund for such eligible redevelopment plan or project exceed twelve million dollars in the aggregate;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of [subsections 4 and 5] **subsection 4** of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from

federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

99.866. The state of Missouri, acting through the department of economic development and the office of administration, and any city not within a county, acting directly, through an affiliated entity or through such city's land clearance for redevelopment authority, may enter into a financing agreement relating to the redevelopment of an area contiguous with a former public housing site that has been declared blighted under Missouri law and which may lead to the retention within such city of, and relocation to such blighted area within such city by, a federal employer employing over two thousand geospatial intelligence jobs. Such financing agreement may provide for the appropriation and disbursement of state withholding tax revenues and city tax revenues generated from such employer for up to thirty years to fund costs associated with the retention of such employer; provided, however, that the annual amount of the state appropriation contemplated by this section plus any appropriation of state withholding tax revenues related to such employer from the Missouri supplemental tax increment financing fund pursuant to section 99.845 shall not exceed twelve million dollars per year and shall maintain a positive net fiscal impact for the state over the term. If the state of Missouri income tax rates are reduced or replaced after August 28, 2015, the department of economic development shall request an appropriation from the general assembly of an amount sufficient to offset any reduction in available withholding tax revenues resulting directly from such tax rate reduction or replacement, which in no event shall exceed the amounts that would have been received had the state income tax rates not been reduced or replaced.”; and

Further amend the title and enacting clause accordingly.

Senator Richard moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt, moved that **HB 514**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Dempsey referred **HB 514**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

HCS for HB 722, entitled:

An Act to amend chapter 260, RSMo, by adding thereto one new section relating to the provision of

paper and plastic bags.

Was called from the Informal Calendar and taken up by Senator Kehoe.

Senator Kehoe offered **SS** for **HCS** for **HB 722**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 722

An Act to amend chapters 260 and 285, RSMo, by adding thereto two new sections relating to prohibited ordinances by political subdivisions.

Senator Nasheed raised the point of order that the **SS** for **HCS** for **HB 722** is out of order as it goes beyond the scope of the underlying bill. The point of order was referred to the President Pro Tem who took it under advisement, which placed **HCS** for **HB 722**, with **SS** and the point of order (pending), on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Kehoe moved that the Senate refuse to concur in **HCS** for **SB 283**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Kraus moved that the Senate refuse to concur in **HCS** for **SB 254**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Parson moved that the Senate refuse to concur in **HCS** for **SB 282**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Nasheed moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 270**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 615, introduced by Representative Dohrman, with **SCS**, entitled:

An Act to repeal sections 287.040, 287.090, 287.140, 287.957, and 287.975, RSMo, and to enact in lieu thereof six new sections relating to workers' compensation, with an existing penalty provision.

Was called from the Informal Calendar and taken up by Senator Schatz.

SCS for **HB 615**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 615

An Act to repeal sections 287.040, 287.090, 287.140, 287.955, 287.957, and 287.975, RSMo, and to enact in lieu thereof seven new sections relating to workers' compensation, with an existing penalty

provision.

Was taken up.

Senator Schatz moved that **SCS** for **HB 615** be adopted, which motion prevailed.

On motion of Senator Schatz, **SCS** for **HB 615** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 446**.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2 and House Amendment No. 2, as amended.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 446, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the following words, “motor vehicles.”; and

Further amend said bill, Page 2, Section 301.451, Line 25, by inserting after all of said section and line the following:

“301.474. 1. Any person who has been awarded the military service award known as the “Korea Defense Service Medal” may apply for special motor vehicle license plates for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

2. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Korea Defense Service Medal as the director may require.

3. Upon presentation of such proof of eligibility, payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law the director of revenue shall issue to the vehicle owner a special personalized license plate which shall bear the words “KOREA DEFENSE SERVICE MEDAL” at the bottom of the plate in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive as prescribed by section 301.130.

4. Such plates shall also bear an image of the Korea Defense Service Medal.

5. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

6. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person.

7. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

8. The director may consult with any organization which represents the interests of persons receiving the Korea Defense Service Medal when formulating the design for the special license plates described in this section.

9. The director shall make all necessary rules and regulations for the administration of this section and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. to Senate Bill No. 446, Page 16, Line 34, by inserting the following after all of said line:

“306.126. 1. [The operator of a motorboat shall not allow any person to ride or sit on the gunwales, decking over the bow, railing, top of seat back or decking over the back of the motorboat while under way, unless such person is inboard of adequate guards or railing provided on the motorboat to prevent a passenger from being lost overboard. As used in this section, the term “adequate guards or railing” means guards or

railings having a height parameter of at least six inches but not more than eighteen inches. Nothing in this section shall be construed to mean that passengers or other persons aboard a motorboat cannot occupy the decking over the bow of the boat to moor it to a mooring buoy or to cast off from such a buoy, or for any other necessary purpose. The provisions of this section shall not apply to vessels propelled by sail.

2.] Whenever any person leaves any watercraft, other than a personal watercraft, on the waters of the Mississippi River, the waters of the Missouri River or the lakes of this state and enters the water between the hours of 11:00 a.m. and sunset, the operator of such watercraft shall display on the watercraft a red or orange flag measuring not less than twelve inches by twelve inches. The provisions of this subsection shall not apply to watercraft that is moored or anchored. The flag required by this subsection shall be visible for three hundred sixty degrees around the horizon when displayed and shall be displayed only when an occupant of the watercraft has left the confines of the watercraft and entered the water. The flag required by this subsection shall not be displayed when the watercraft is engaged in towing any person, but shall be displayed when such person has ceased being towed and has reentered the water.

[3.] **2.** No operator shall knowingly operate any watercraft within fifty yards of a flag required by subsection 2 of this section at a speed in excess of a slow-no wake speed.”; and

Further amend said amendment, Page 18, Line 6, by deleting the word “**hour**” and inserting in lieu thereof the word “**twenty-four hours**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 446, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

“301.196. 1. Beginning January 1, 2006, except as otherwise provided in this section, the transferor of an interest in a motor vehicle or trailer listed on the face of a Missouri title, excluding salvage titles and junking certificates, shall notify the department of revenue of the transfer within thirty days of the date of transfer. The notice shall be in a form determined by the department by rule and shall contain:

(1) **The name of the transferor and transferee;**

(2) A description of the motor vehicle or trailer sufficient to identify it;

[(2)] (3) The vehicle identification number of the motor vehicle or trailer;

[(3)] (4) The name and address of the transferee;

[(4)] (5) The date of birth of the transferee, unless the transferee is not a natural person;

[(5)] (6) The date of the transfer or sale;

[(6)] (7) The purchase price of the motor vehicle or trailer, if applicable;

[(7)] (8) The number of the transferee’s drivers license, unless the transferee does not have a drivers license;

[(8) The printed name and signature] (9) **The transferor’s electronic signature if transmitted electronically or the signatures of the transferee and transferor if not submitted electronically. For the**

purposes of this section, “transmitted electronically” shall have the same meaning as an electronic signature as defined in section 432.205;

[(9)] **(10)** Any other information required by the department by rule.

2. A notice of sale substantially complying with the requirements of this section is effective even though it contains minor errors which are not materially misleading.

3. For purposes of giving notice under this section, if the transfer occurs by operation of law, the personal representative, receiver, trustee, sheriff, or other representative or successor in interest of the person whose interest is transferred shall be considered the transferor. Repossession by a creditor shall not be considered a transfer of ownership requiring such notice.

[3.] **4.** The requirements of this section shall not apply to transfers when there is no complete change of ownership interest or upon award of ownership of a motor vehicle or trailer made by court order, or transfers of ownership of a motor vehicle or trailer to or between vehicle dealers, or transfers of ownership of a motor vehicle or trailer to an insurance company due to a theft or casualty loss, or transfers of beneficial ownership of a motor vehicle owned by a trust.

[4.] **5.** Notification under this section is only required for transfers of ownership that would otherwise require registration and an application for certificate of title in this state under section 301.190, and is for informational purposes only and does not constitute an assignment or release of any interest in the vehicle.

[5.] **6.** Retail sales made by licensed dealers including sales of new vehicles shall be reported pursuant to the provisions of section 301.280.”; and

Further amend said bill, Page 2, Section 301.451, Line 25, by inserting immediately after said section and line the following:

“302.010. Except where otherwise provided, when used in this chapter, the following words and phrases mean:

(1) “Circuit court”, each circuit court in the state;

(2) “Commercial motor vehicle”, a motor vehicle designed or regularly used for carrying freight and merchandise, or more than fifteen passengers;

(3) “Conviction”, any final conviction; also a forfeiture of bail or collateral deposited to secure a defendant’s appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction, except that when any conviction as a result of which points are assessed pursuant to section 302.302 is appealed, the term “conviction” means the original judgment of conviction for the purpose of determining the assessment of points, and the date of final judgment affirming the conviction shall be the date determining the beginning of any license suspension or revocation pursuant to section 302.304;

(4) “Criminal history check”, a search of criminal records, including criminal history record information as defined in section 43.500, maintained by the Missouri state highway patrol in the Missouri criminal records repository or by the Federal Bureau of Investigation as part of its criminal history records, including, but not limited to, any record of conviction, plea of guilty or nolo contendere, or finding of guilty in any state for any offense related to alcohol, controlled substances, or drugs;

(5) “Director”, the director of revenue acting directly or through the director’s authorized officers and

agents;

(6) “Farm tractor”, every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry;

(7) “Highway”, any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways, or alleys in any municipality;

(8) “Incompetent to drive a motor vehicle”, a person who has become physically incapable of meeting the prescribed requirements of an examination for an operator’s license, or who has been adjudged by a probate division of the circuit court in a capacity hearing of being incapacitated;

(9) “License”, a license issued by a state to a person which authorizes a person to operate a motor vehicle;

(10) “Motor vehicle”, any self-propelled vehicle not operated exclusively upon tracks except motorized bicycles, as defined in section 307.180;

(11) “Motorcycle”, a motor vehicle operated on two wheels; however, this definition shall not include motorized bicycles as defined in section 301.010;

(12) “Motortricycle”, a motor vehicle operated on three wheels, including a motorcycle operated with any conveyance, temporary or otherwise, requiring the use of a third wheel;

(13) “Moving violation”, that character of traffic violation where at the time of violation the motor vehicle involved is in motion, except that the term does not include the driving of a motor vehicle without a valid motor vehicle registration license, or violations of sections 304.170 to 304.240, inclusive, relating to sizes and weights of vehicles;

(14) “Municipal court”, every division of the circuit court having original jurisdiction to try persons for violations of city ordinances;

(15) “Nonresident”, every person who is not a resident of this state;

(16) “Operator”, every person who is in actual physical control of a motor vehicle upon a highway;

(17) “Owner”, a person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of sections 302.010 to 302.540;

(18) “Record” includes, but is not limited to, papers, documents, facsimile information, microphotographic process, electronically generated or electronically recorded information, digitized images, deposited or filed with the department of revenue;

(19) “Residence address”, “residence”, or “resident address” shall be the location at which a person has been physically present, and that the person regards as home. A residence address is a person’s true, fixed, principal, and permanent home, to which a person intends to return and remain, even though currently residing elsewhere;

(20) “Restricted driving privilege”, a **sixty-day** driving privilege issued by the director of revenue

following a suspension of driving privileges for the limited purpose of driving in connection with the driver's business, occupation, employment, formal program of secondary, postsecondary or higher education, or for an alcohol education or treatment program or certified ignition interlock provider, **or a ninety-day 'interlock restricted privilege' issued by the director of revenue for the limited purpose of driving in connection with the driver's business, occupation, employment, seeking medical treatment for such driver or a dependent family member, attending school or other institution of higher education, attending alcohol or drug treatment programs, seeking the required services of a certified ignition interlock provider, fulfilling court obligations, including required appearances and probation and parole obligations, religious services, the care of a child or children, including scheduled visitation or custodial obligations pursuant to a court order, fueling requirements for any vehicle utilized, and seeking basic nutritional requirements;**

(21) "School bus", when used in sections 302.010 to 302.540, means any motor vehicle, either publicly or privately owned, used to transport students to and from school, or to transport pupils properly chaperoned to and from any place within the state for educational purposes. The term "school bus" shall not include a bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interstate transportation of passengers when such bus is not traveling a specific school bus route but is:

(a) On a regularly scheduled route for the transportation of fare-paying passengers; or

(b) Furnishing charter service for the transportation of persons enrolled as students on field trips or other special trips or in connection with other special events;

(22) "School bus operator", an operator who operates a school bus as defined in subdivision (21) of this section in the transportation of any schoolchildren and who receives compensation for such service. The term "school bus operator" shall not include any person who transports schoolchildren as an incident to employment with a school or school district, such as a teacher, coach, administrator, secretary, school nurse, or janitor unless such person is under contract with or employed by a school or school district as a school bus operator;

(23) "Signature", any method determined by the director of revenue for the signing, subscribing or verifying of a record, report, application, driver's license, or other related document that shall have the same validity and consequences as the actual signing by the person providing the record, report, application, driver's license or related document;

(24) "Substance abuse traffic offender program", a program certified by the division of alcohol and drug abuse of the department of mental health to provide education or rehabilitation services pursuant to a professional assessment screening to identify the individual needs of the person who has been referred to the program as the result of an alcohol- or drug-related traffic offense. Successful completion of such a program includes participation in any education or rehabilitation program required to meet the needs identified in the assessment screening. The assignment recommendations based upon such assessment shall be subject to judicial review as provided in subsection 14 of section 302.304 and subsections 1 and 5 of section 302.540;

(25) "Vehicle", any mechanical device on wheels, designed primarily for use, or used on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons.

302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as described in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court shall order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has been found guilty of acting with criminal negligence while driving while intoxicated to cause the death of another person, or to any person who has been convicted twice within a five-year period of violating state law, county or municipal ordinance of driving while intoxicated, or any other intoxication-related traffic offense as defined in section 577.001, except that, after the expiration of five years from the date of conviction of the last offense of violating such law or ordinance, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances, or

drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding five years, and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court shall order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540;

(11) To any person who is otherwise disqualified pursuant to the provisions of chapter 302, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of subdivision (9) or (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have a photo identification technology feature, and a court may require a global positioning system feature for such device. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device **within the last three months of the six-month period of required installation of the ignition interlock device**, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended [for an additional six months] **until the person has completed three consecutive months with no violations as described in this section**. If the person fails to maintain such proof with the director, the license shall be suspended [for the remainder of the six-month period or] until proof as required by this section is filed with the director. [Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.]

3. Any person who petitions the court for reinstatement of his or her license pursuant to subdivision (9) or (10) of subsection 1 of this section shall make application with the Missouri state highway patrol as provided in section 43.540, and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for reinstatement. The applicant shall pay the fee for the state criminal history check pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal

criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward a copy of the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.

302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, there shall be no period of suspension. However, in lieu of a suspension the person shall instead complete a ninety-day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such ninety-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such

ninety-day period indicate that the ignition interlock device has registered a confirmed blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional thirty-day period of restricted driving privilege.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section, the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the Armed Forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the Armed Forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or

any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, except any suspension or revocation issued under section 302.410, 302.462, or 302.574, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state. Any person who has had his or her license suspended or revoked under section 302.410, 302.462, or 302.574, shall be required to pay the reinstatement fee.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (24) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.001 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol

and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a conviction for an intoxication-related traffic offense as defined under section 577.001, and who has a prior alcohol-related enforcement contact as defined under section 302.525, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device **within the last three months of the six-month period of required installation of the ignition interlock device**, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended [for an additional six months] **until the person has completed three consecutive months with no violations as described in this section**. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges, except as provided under subdivision (8) of this subsection. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) A business, occupation, or employment;

- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator, the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of [paragraph (a) of] subdivision (6) of this subsection [on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or] **if such person has a license denial under paragraph (a) or (b) of subdivision (8) of this subsection[, or a license revocation under paragraph (g) of subdivision (6) of this subsection.] or on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license revocation under subdivision (2) of subsection 2 of section 302.525, or sections 302.574 or 577.041,** until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have a photo identification technology feature, and a court may require a global positioning system feature for such device.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever

such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege whose license at the time of application has been suspended or revoked for the following reasons:

(a) [A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b)] A conviction of any felony in the commission of which a motor vehicle was used **and such conviction occurred within the five year period prior to the date of application. However, any felony conviction for leaving the scene of an accident under section 577.060 shall not render the applicant ineligible for a limited driving privilege under this section;**

[(c)] **(b)** Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), **or** (10) [or (11)] of subsection 1 of section 302.060; **or**

[(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for failure to submit to a chemical test pursuant to section 302.574 or due to a refusal to submit to a chemical test in any other state, unless such person has completed the first ninety days of such revocation and files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, provided the person is not otherwise ineligible for a limited driving privilege;

(f)] **(c)** Due to a suspension pursuant to **subdivision (8) or (10) of subsection 1 of section 302.302 or** subsection 2 of section 302.525 [and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(g) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed the first forty-five days of such revocation, provided the person is not otherwise ineligible for a limited driving privilege].

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that

pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection. Such person shall present evidence satisfactory to the court or the director that such person's habits and conduct show that the person no longer poses a threat to the public safety of this state. A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of acting with criminal negligence while driving while intoxicated to cause the death of another person, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection. Such person shall present evidence satisfactory to the court or the director that such person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision. A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. [The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.]

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review,

to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle. In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section. If a person otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle that he or she operates is equipped with a functioning, certified ignition interlock device, there shall be no period of suspension. However, in lieu of a suspension the person shall instead complete a ninety-day period of restricted driving privilege. Upon completion of such ninety-day period of restricted driving privilege, compliance with other requirements of law, and filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a confirmed blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional thirty-day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has [completed the first thirty days of a suspension under this section and has] filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the

restricted driving privilege shall be terminated.

3. For purposes of this section, “alcohol-related enforcement contacts” shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device **within the last three months of the six-month period of required installation of the ignition interlock device**, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended [for an additional six months] **until the person has completed three consecutive months with no violations as described in this section**. If the person fails to maintain such proof with the director, the license shall be suspended or revoked, [as applicable] **until proof as required by this section is filed with the director, and the person shall be guilty of a class A misdemeanor**.

302.574. 1. If a person who was operating a vehicle refuses upon the request of the officer to submit to any chemical test under section 577.041, the officer shall, on behalf of the director of revenue, serve the notice of license revocation personally upon the person and shall take possession of any license to operate a vehicle issued by this state which is held by that person. The officer shall issue a temporary permit, on behalf of the director of revenue, which is valid for fifteen days and shall also give the person notice of his or her right to file a petition for review to contest the license revocation.

2. Such officer shall make a certified report under penalties of perjury for making a false statement to a public official. The report shall be forwarded to the director of revenue and shall include the following:

(1) That the officer has:

(a) Reasonable grounds to believe that the arrested person was driving a motor vehicle while in an intoxicated condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer has reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater;

(2) That the person refused to submit to a chemical test;

(3) Whether the officer secured the license to operate a motor vehicle of the person;

(4) Whether the officer issued a fifteen-day temporary permit;

(5) Copies of the notice of revocation, the fifteen-day temporary permit, and the notice of the right to file a petition for review. The notices and permit may be combined in one document; and

(6) Any license, which the officer has taken into possession, to operate a motor vehicle.

3. Upon receipt of the officer's report, the director shall revoke the license of the person refusing to take the test for a period of one year; or if the person is a nonresident, such person's operating permit or privilege shall be revoked for one year; or if the person is a resident without a license or permit to operate a motor vehicle in this state, an order shall be issued denying the person the issuance of a license or permit for a period of one year.

4. If a person's license has been revoked because of the person's refusal to submit to a chemical test, such person may petition for a hearing before a circuit division or associate division of the court in the county in which the arrest or stop occurred. The person may request such court to issue an order staying the revocation until such time as the petition for review can be heard. If the court, in its discretion, grants such stay, it shall enter the order upon a form prescribed by the director of revenue and shall send a copy of such order to the director. Such order shall serve as proof of the privilege to operate a motor vehicle in this state and the director shall maintain possession of the person's license to operate a motor vehicle until termination of any revocation under this section. Upon the person's request, the clerk of the court shall notify the prosecuting attorney of the county and the prosecutor shall appear at the hearing on behalf of the director of revenue. At the hearing, the court shall determine only:

(1) Whether the person was arrested or stopped;

(2) Whether the officer had:

(a) Reasonable grounds to believe that the person was driving a motor vehicle while in an intoxicated or drugged condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer had reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of

two-hundredths of one percent or greater; and

(3) Whether the person refused to submit to the test.

5. If the court determines any issue not to be in the affirmative, the court shall order the director to reinstate the license or permit to drive.

6. Requests for review as provided in this section shall go to the head of the docket of the court wherein filed.

7. No person who has had a license to operate a motor vehicle suspended or revoked under the provisions of this section shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (24) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion under the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a similar offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.001, or of a person determined to have operated a motor vehicle with a blood alcohol content of fifteen-hundredths of one percent or more by weight. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted under this subsection shall not be necessary unless directed by the court.

8. The fees for the substance abuse traffic offender program, or a portion thereof, to be determined by the division of alcohol and drug abuse of the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due to the division of alcohol and drug abuse under this section, and shall accrue at a rate not to exceed the annual rates established under the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health under this section shall be deposited in the mental health earnings fund, which is created in section 630.053.

9. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program under this section

shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due to the division under this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action for the collection of said fees and accrued interest. The court shall assess attorneys' fees and court costs against any delinquent program.

10. Any person who has had a license to operate a motor vehicle revoked under this section and who has a prior alcohol-related enforcement contact, as defined in section 302.525, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of license reinstatement. Such ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device **within the last three months of the six-month period of required installation of the ignition interlock device**, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended [for an additional six months] **until the person has completed three consecutive months with no violations as described in this section**. If the person fails to maintain such proof with the director as required by this section, the license shall be rerevoked **until proof as required by this section is filed with the director**, and the person shall be guilty of a class A misdemeanor.

11. The revocation period of any person whose license and driving privilege has been revoked under this section and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked.

12. A person commits the offense of failure to maintain proof with the Missouri department of revenue if, when required to do so, he or she fails to file proof with the director of revenue that any vehicle operated by the person is equipped with a functioning, certified ignition interlock device or fails to file proof of financial responsibility with the department of revenue in accordance with chapter 303. The offense of failure to maintain proof with the Missouri department of revenue is a class A misdemeanor.

478.007. 1. Any circuit court, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants with a county municipal court established under section 66.010, may establish a docket or court to provide an alternative for the judicial system to dispose of cases in which a person has pleaded guilty to driving while intoxicated or driving with excessive blood alcohol content and:

(1) The person was operating a motor vehicle with at least fifteen-hundredths of one percent or more by weight of alcohol in such person's blood; or

(2) The person has previously pleaded guilty to or has been found guilty of one or more intoxication-related traffic offenses as defined by section 577.023; or

(3) The person has two or more previous alcohol-related enforcement contacts as defined in section 302.525.

2. This docket or court shall combine judicial supervision, drug testing, continuous alcohol monitoring, **as defined in section 577.001**, substance abuse traffic offender program compliance, and treatment of DWI court participants. The court may assess any and all necessary costs for participation in DWI court against the participant. Any money received from such assessed costs by a court from a defendant shall not be considered court costs, charges, or fines. This docket or court may operate in conjunction with a drug court established pursuant to sections 478.001 to 478.006.

3. If the division of probation and parole is otherwise unavailable to assist in the judicial supervision of any person who wishes to enter a DWI court, a court-approved private probation service may be utilized by the DWI court to fill the division's role. In such case, any and all necessary additional costs may be assessed against the participant. No person shall be rejected from participating in DWI court solely for the reason that the person does not reside in the city or county where the applicable DWI court is located but the DWI court can base acceptance into a treatment court program on its ability to adequately provide services for the person or handle the additional caseload.

577.001. As used in this chapter, the following terms mean:

(1) "Aggravated offender", a person who has been found guilty of:

(a) Three or more intoxication-related traffic offenses committed on separate occasions; or

(b) Two or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(2) "Aggravated boating offender", a person who has been found guilty of:

(a) Three or more intoxication-related boating offenses; or

(b) Has been found guilty of one or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(3) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(4) "Court", any circuit, associate circuit, or municipal court, including traffic court, but not any juvenile court or drug court;

(5) "Chronic offender", a person who has been found guilty of:

(a) Four or more intoxication-related traffic offenses committed on separate occasions; or

(b) Three or more intoxication-related traffic offenses committed on separate occasions where at least

one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

(c) Two or more intoxication-related traffic offenses committed on separate occasions where both intoxication-related traffic offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(6) “Chronic boating offender”, a person who has been found guilty of:

(a) Four or more intoxication-related boating offenses; or

(b) Three or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(c) Two or more intoxication-related boating offenses committed on separate occasions where both intoxication-related boating offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(7) **“Continuous alcohol monitoring”, automatically testing breath, blood, or transdermal alcohol concentration levels and tampering attempts at least once every hour, regardless of the location of the person who is being monitored, and regularly transmitting the data. Continuous alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of section 217.690;**

(8) “Controlled substance”, a drug, substance, or immediate precursor in schedules I to V listed in section 195.017;

[(8)] (9) “Drive”, “driving”, “operates” or “operating”, means physically driving or operating a vehicle or vessel;

[(9)] (10) “Flight crew member”, the pilot in command, copilots, flight engineers, and flight navigators;

[(10)] (11) “Habitual offender”, a person who has been found guilty of:

(a) Five or more intoxication-related traffic offenses committed on separate occasions; or

(b) Four or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

(c) Three or more intoxication-related traffic offenses committed on separate occasions where at least two of the intoxication-related traffic offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

(d) While driving while intoxicated, the defendant acted with criminal negligence to:

a. Cause the death of any person not a passenger in the vehicle operated by the defendant, including the death of an individual that results from the defendant's vehicle leaving a highway, as defined by section 301.010, or the highway's right-of-way; or

b. Cause the death of two or more persons; or

c. Cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths of one percent by weight of alcohol in such person's blood;

[(11)] **(12)** "Habitual boating offender", a person who has been found guilty of:

(a) Five or more intoxication-related boating offenses; or

(b) Four or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(c) Three or more intoxication-related boating offenses committed on separate occasions where at least two of the intoxication-related boating offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(d) While boating while intoxicated, the defendant acted with criminal negligence to:

a. Cause the death of any person not a passenger in the vessel operated by the defendant, including the death of an individual that results from the defendant's vessel leaving the water; or

b. Cause the death of two or more persons; or

c. Cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths of one percent by weight of alcohol in such person's blood;

[(12)] **(13)** "Intoxicated" or "intoxicated condition", when a person is under the influence of alcohol, a controlled substance, or drug, or any combination thereof;

[(13)] **(14)** "Intoxication-related boating offense", operating a vessel while intoxicated; boating while intoxicated; operating a vessel with excessive blood alcohol content or an offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense;

[(14)] **(15)** "Intoxication-related traffic offense", driving while intoxicated, driving with excessive blood alcohol content or an offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense;

[(15)] **(16)** "Law enforcement officer" or "arresting officer", includes the definition of law enforcement officer in section 556.061 and military policemen conducting traffic enforcement operations on a federal military installation under military jurisdiction in the state of Missouri;

[(16)] **(17)** "Operate a vessel", to physically control the movement of a vessel in motion under mechanical or sail power in water;

[(17)] **(18)** “Persistent offender”, a person who has been found guilty of two or more intoxication-related traffic offenses committed on separate occasions;

[(18)] **(19)** “Persistent boating offender”, a person who has been found guilty of two or more intoxication-related boating offenses committed on separate occasions;

[(19)] **(20)** “Prior offender”, a person who has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged;

[(20)] **(21)** “Prior boating offender”, a person who has been found guilty of one intoxication-related boating offense, where such prior offense occurred within five years of the occurrence of the intoxication-related boating offense for which the person is charged.

577.010. 1. A person commits the offense of driving while intoxicated if he or she operates a vehicle while in an intoxicated condition.

2. The offense of driving while intoxicated is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if:

(a) The defendant is a prior offender; or

(b) A person less than seventeen years of age is present in the vehicle;

(3) A class E felony if:

(a) The defendant is a persistent offender; or

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause physical injury to another person;

(4) A class D felony if:

(a) The defendant is an aggravated offender;

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause physical injury to a law enforcement officer or emergency personnel; or

(c) While driving while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to another person;

(5) A class C felony if:

(a) The defendant is a chronic offender;

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to a law enforcement officer or emergency personnel; or

(c) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of another person;

(6) A class B felony if:

(a) The defendant is a habitual offender; or

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of a law enforcement officer or emergency personnel;

(7) A class A felony if the defendant is a habitual offender as a result of being found guilty of an act described under paragraph (d) of subdivision [(10)] **(11)** of section 577.001 and is found guilty of a subsequent violation of such paragraph.

3. Notwithstanding the provisions of subsection 2 of this section, a person found guilty of the offense of driving while intoxicated as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the individual participates and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

4. If a person is found guilty of a second or subsequent offense of driving while intoxicated, the court may order the person to submit to a period of continuous alcohol monitoring as a condition of probation.

5. If a person is not granted a suspended imposition of sentence for the reasons described in subsection 3 of this section:

(1) If the individual operated the vehicle with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vehicle with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

[5.] 6. A person found guilty of the offense of driving while intoxicated:

(1) As a prior offender, persistent offender, aggravated offender, chronic offender, or habitual offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior offender shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least thirty days of community service under the supervision of the court;

(3) As a persistent offender shall not be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least sixty days of community service under the supervision of the court;

(4) As an aggravated offender shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic offender shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment; **and**

(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring.

577.012. 1. A person commits the offense of driving with excessive blood alcohol content if such person operates:

(1) A vehicle while having eight-hundredths of one percent or more by weight of alcohol in his or her blood; or

(2) A commercial motor vehicle while having four one-hundredths of one percent or more by weight of alcohol in his or her blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of sections 577.020 to 577.041.

3. The offense of driving with excessive blood alcohol content is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if the defendant is alleged and proved to be a prior offender;

(3) A class E felony if the defendant is alleged and proved to be a persistent offender;

(4) A class D felony if the defendant is alleged and proved to be an aggravated offender;

(5) A class C felony if the defendant is alleged and proved to be a chronic offender;

(6) A class B felony if the defendant is alleged and proved to be a habitual offender.

4. A person found guilty of the offense of driving with an excessive blood alcohol content as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the individual participates in and successfully

completes a program under such DWI court or docket or other court-ordered treatment program.

5. If a person is not granted a suspended imposition of sentence for the reasons described in subsection 4 of this section:

(1) If the individual operated the vehicle with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vehicle with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

6. If a person is found guilty of a second or subsequent offense of driving with an excessive blood alcohol content, the court may order the person to submit to a period of continuous alcohol monitoring as a condition of probation.

7. A person found guilty of driving with excessive blood alcohol content:

(1) As a prior offender, persistent offender, aggravated offender, chronic offender or habitual offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior offender shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least thirty days of community service under the supervision of the court;

(3) As a persistent offender shall not be granted parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least sixty days of community service under the supervision of the court;

(4) As an aggravated offender shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic offender shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment; **and**

(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring.

577.013. 1. A person commits the offense of boating while intoxicated if he or she operates a vessel while in an intoxicated condition.

2. The offense of boating while intoxicated is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if:

(a) The defendant is a prior boating offender; or

(b) A person less than seventeen years of age is present in the vessel;

(3) A class E felony if:

(a) The defendant is a persistent boating offender; or

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause physical injury to another person;

(4) A class D felony if:

(a) The defendant is an aggravated boating offender;

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause physical injury to a law enforcement officer or emergency personnel; or

(c) While boating while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to another person;

(5) A class C felony if:

(a) The defendant is a chronic boating offender;

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to a law enforcement officer or emergency personnel; or

(c) While boating while intoxicated, the defendant acts with criminal negligence to cause the death of another person;

(6) A class B felony if:

(a) The defendant is a habitual boating offender; or

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause the death of a law enforcement officer or emergency personnel;

(7) A class A felony if the defendant is a habitual offender as a result of being found guilty of an act described under paragraph (d) of subdivision [(11)] **(12)** of section 577.001 and is found guilty of a subsequent violation of such paragraph.

3. Notwithstanding the provisions of subsection 2 of this section, a person found guilty of the offense of boating while intoxicated as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the individual participates in and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

4. If a person is found guilty of a second or subsequent offense of boating while intoxicated, the court may order the person to submit to a period of continuous alcohol monitoring as a condition of probation.

5. If a person is not granted a suspended imposition of sentence for the reasons described in subsection 3 of this section:

(1) If the individual operated the vessel with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vessel with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

[5.] **6.** A person found guilty of the offense of boating while intoxicated:

(1) As a prior boating offender, persistent boating offender, aggravated boating offender, chronic boating offender or habitual boating offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior boating offender shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least two hundred forty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(3) As a persistent offender shall not be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least four hundred eighty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(4) As an aggravated boating offender shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic boating offender shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment; **and**

(6) Any probation or parole granted under this subsection may include a period of continuous

alcohol monitoring.

577.014. 1. A person commits the offense of boating with excessive blood alcohol content if he or she operates a vessel while having eight-hundredths of one percent or more by weight of alcohol in his or her blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of sections 577.020 to 577.041.

3. The offense of boating with excessive blood alcohol content is:

- (1) A class B misdemeanor;
- (2) A class A misdemeanor if the defendant is alleged and proved to be a prior boating offender;
- (3) A class E felony if the defendant is alleged and proved to be a persistent boating offender;
- (4) A class D felony if the defendant is alleged and proved to be an aggravated boating offender;
- (5) A class C felony if the defendant is alleged and proved to be a chronic boating offender;
- (6) A class B felony if the defendant is alleged and proved to be a habitual boating offender.

4. A person found guilty of the offense of boating with excessive blood alcohol content as a first offense shall not be granted a suspended imposition of sentence:

- (1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood unless the individual participates in and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

5. When a person is not granted a suspended imposition of sentence for the reasons described in subsection 4 of this section:

(1) If the individual operated the vessel with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vessel with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

6. If a person is found guilty of a second or subsequent offense of boating with an excessive blood alcohol content, the court may order the person to submit to a period of continuous alcohol monitoring as a condition of probation.

7. A person found guilty of the offense of boating with excessive blood alcohol content:

(1) As a prior boating offender, persistent boating offender, aggravated boating offender, chronic boating offender or habitual boating offender shall not be granted a suspended imposition of sentence or be

sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior boating offender, shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least two hundred forty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(3) As a persistent boating offender, shall not be granted parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least four hundred eighty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(4) As an aggravated boating offender, shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic boating offender, shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment; **and**

(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring.

Section B. Sections 302.010, 302.060, 302.302, 302.304, 302.309, 302.525, 302.574, 478.007, 577.001, 577.010, 577.012, 577.013, and 577.014 of Section A of this act shall become effective on January 1, 2017.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 67**, entitled:

An Act to amend chapter 488, RSMo, by adding thereto three new sections relating to court costs.

With House Amendment Nos. 2, 3, 4 and 5.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 67, Page 1, In the Title, Line 2, by deleting the words “court costs” and inserting in lieu thereof the word “courts”; and

Further amend said bill and page, Section A, Line 2, by inserting immediately after all of said line and section the following:

“67.320. 1. Any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, **any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat**, or any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants may prosecute and punish violations of its county orders in the circuit court of such counties in the manner and to the extent herein provided or in a county municipal court if creation of a county municipal court is approved by order of the county commission. The county may adopt orders with penal provisions consistent with state law, but only in the areas of traffic violations, solid waste management, county building codes, on-site sewer treatment, zoning orders, and animal control. Any county municipal court established pursuant to the provisions of this section shall have jurisdiction over violations of that county’s orders and the ordinances of municipalities with which the county has a contract to prosecute and punish violations of municipal ordinances of the municipality.

2. Except as provided in subsection 5 of this section in any county which has elected to establish a county municipal court pursuant to this section, the judges for such court shall be appointed by the county commission of such county, subject to confirmation by the legislative body of such county in the same manner as confirmation for other county appointed officers. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.

3. The practice and procedure of each prosecution shall be conducted in compliance with all of the terms and provisions of sections 66.010 to 66.140, except as provided for in this section.

4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with the term order for purposes of this section.

5. In any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, the first judges shall be appointed by the county commission for a term of four years, and thereafter the judges shall be elected for a term of four years. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.

476.083. 1. In addition to any appointments made pursuant to section 485.010, the presiding judge of each circuit containing one or more facilities operated by the department of corrections with an average total inmate population in all such facilities in the circuit over the previous two years of more than two thousand five hundred inmates **or containing, as of January 1, 2015, a diagnostic and reception center operated by the department of corrections and a mental health facility operated by the department of mental health which houses persons found not guilty of a crime by reason of mental disease or defect under chapter 552 and provides sex offender rehabilitation and treatment services (SORTS)** may appoint a circuit court marshal to aid the presiding judge in the administration of the judicial business of the circuit by overseeing the physical security of the courthouse, serving court-generated papers and orders, and assisting the judges of the circuit as the presiding judge determines appropriate. Such circuit court marshal appointed pursuant to the provisions of this section shall serve at the pleasure of the presiding judge. The circuit court marshal authorized by this section is in addition to staff support from the circuit clerks, deputy circuit clerks, division clerks, municipal clerks, and any other staff personnel which may otherwise be provided by law.

2. The salary of a circuit court marshal shall be established by the presiding judge of the circuit within funds made available for that purpose, but such salary shall not exceed ninety percent of the salary of the highest paid sheriff serving a county wholly or partially within that circuit. Personnel authorized by this section shall be paid from state funds or federal grant moneys which are available for that purpose and not from county funds.

3. Any person appointed as a circuit court marshal pursuant to this section shall have at least five years' prior experience as a law enforcement officer. In addition, any such person shall within one year after appointment, or as soon as practicable, attend a court security school or training program operated by the United States Marshal Service. In addition to all other powers and duties prescribed in this section, a circuit court marshal may:

(1) Serve process;

(2) Wear a concealable firearm; and

(3) Make an arrest based upon local court rules and state law, and as directed by the presiding judge of the circuit.

479.155. 1. By September 1, 2015, the presiding judge of the circuit court in which the municipal division is located shall report to the clerk of the supreme court the name and address of the municipal division and any other information regarding the municipal division requested by the clerk of the supreme court on a standardized form developed by the clerk of the supreme court.

2. If a municipality elects to abolish or establish a municipal division, the presiding judge of the circuit court in which the municipal division is located shall notify the clerk of the supreme court, and the presiding judge of any new municipal division shall complete the report required under subsection 1 of this section within ninety days of the establishment of the division.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 67, Page 1, In the Title, Line 2, by deleting the words “court costs” and inserting in lieu thereof the word “courts”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

“478.252. 1. The circuit court of Jackson County may establish the “Armed Offender Docket Pilot Project”. The armed offender docket shall have dedicated judges and other personnel for all matters of hearing, setting of bail or other pretrial matters, trial, sentencing, and supervision of the accused or convicted in all actions in which the lead charge has been brought under subdivision (2) of subsection 1 of section 569.020 prior to December 31, 2016, or, beginning January 1, 2017, subdivision (1) of subsection 1 of section 569.160, subdivision (2) of subsection 1 of section 570.023, 571.015, subdivisions (1), (2), (3), or (6), of subsection 1 of section 571.020, 571.030, 571.045, 571.050, subdivision (1) of subsection 1 of section 571.060, 571.063, 571.070, 571.072, or 571.150. For purposes of this section, a “lead charge”, means the highest grade of a charge against a defendant. Charges tried by the docket shall arise from lead charges brought on or after the effective date of the creation

of the docket.

2. The circuit court may impose a thirty dollar surcharge for each criminal case assigned to the armed offender docket. Moneys from such surcharge shall be collected in the manner provided in sections 488.010 to 488.020 and shall be used solely to defray the costs of prosecution, pretrial supervision, and statistical analysis of such cases. No such surcharge shall be collected in any proceeding if the proceeding or the defendant has been dismissed by the court or if costs are to be paid by the state, county, or municipality.

3. The presiding judge of the circuit court, along with the prosecuting attorney and all law enforcement agencies in such circuit, shall assist in the coordinating and sharing of court and law enforcement data and information that is relevant to the operation and evaluation of the armed offender docket. Such information shall include, but not be limited to, the following:

- (1) The number of cases in which the court ordered the defendant to be confined pretrial;**
- (2) The number of cases in which the court ordered release of the defendant pretrial;**
- (3) The range of bond amounts in cases in which the defendant was released pretrial;**
- (4) The number of cases in which the court revoked the defendant's release prior to trial;**
- (5) The number of cases dismissed by the court;**
- (6) The number of cases disposed of by plea and the range of sentences imposed in such cases;**
- (7) The number of cases resulting in jury verdicts, including acquittals;**
- (8) The number of cases resulting in a sentence of confinement and the range of sentences imposed;**
- (9) The number of cases in which the court granted probation and release after a judgment of conviction either by plea or verdict;**
- (10) The number of cases in which probation revocation was sought and is pending;**
- (11) The number of cases in which probation revocation was granted; and**
- (12) Any nonprivileged information reasonably requested by such agencies or by a research university in Missouri with an accredited program in criminology, criminal justice, public health, or social work. Any information that is protected from disclosure by a recognized privilege or statute shall be disclosed only by court order or as provided by statute.**

4. Within six months after each anniversary of the creation of the armed offender docket, the circuit court shall provide and publish a public report on the operations of the armed offender docket during the year immediately preceding the anniversary, including any commentary on such operations as may be offered by a research university in Missouri, prosecuting attorney or public defender in such circuit, or law enforcement agency in such circuit.

5. The provisions of this section shall expire on December 31, 2021.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate

Bill No. 67, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“476.083. 1. In addition to any appointments made pursuant to section 485.010, the presiding judge of each circuit containing one or more facilities operated by the department of corrections with an average total inmate population in all such facilities in the circuit over the previous two years of more than two thousand five hundred inmates **or containing, as of January 1, 2015, a diagnostic and reception center operated by the department of corrections and a mental health facility operated by the department of mental health which houses persons found not guilty of a crime by reason of mental disease or defect under chapter 552 and provides sex offender rehabilitation and treatment services (SORTS)** may appoint a circuit court marshal to aid the presiding judge in the administration of the judicial business of the circuit by overseeing the physical security of the courthouse, serving court-generated papers and orders, and assisting the judges of the circuit as the presiding judge determines appropriate. Such circuit court marshal appointed pursuant to the provisions of this section shall serve at the pleasure of the presiding judge. The circuit court marshal authorized by this section is in addition to staff support from the circuit clerks, deputy circuit clerks, division clerks, municipal clerks, and any other staff personnel which may otherwise be provided by law.

2. The salary of a circuit court marshal shall be established by the presiding judge of the circuit within funds made available for that purpose, but such salary shall not exceed ninety percent of the salary of the highest paid sheriff serving a county wholly or partially within that circuit. Personnel authorized by this section shall be paid from state funds or federal grant moneys which are available for that purpose and not from county funds.

3. Any person appointed as a circuit court marshal pursuant to this section shall have at least five years' prior experience as a law enforcement officer. In addition, any such person shall within one year after appointment, or as soon as practicable, attend a court security school or training program operated by the United States Marshal Service. In addition to all other powers and duties prescribed in this section, a circuit court marshal may:

(1) Serve process;

(2) Wear a concealable firearm; and

(3) Make an arrest based upon local court rules and state law, and as directed by the presiding judge of the circuit.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 67, Page 4, Section 488.2258, Line 42, by inserting after all of said section and line the following:

“534.350. The judge rendering judgment in any such cause may issue execution at any time after judgment, but such execution shall not be levied until after the expiration of the time allowed for the taking of an appeal, except [as in the next succeeding section is provided]:

(1) Execution for the purpose of restoring possession shall be issued no sooner than ten days after the judgment. However, the execution for purposes of restoring possession shall be stayed pending an appeal if the losing party posts an appeal bond; and

(2) If it shall appear to the officer having charge of the execution that the defendant therein is about to remove, conceal, or dispose of his or her property, so as to hinder or delay the levy, the rents and profits, damages and costs may be levied before the expiration of the time allowed for taking an appeal.

535.030. 1. Such summons shall be served as in other civil cases at least four days before the court date in the summons. The summons shall include a court date which shall not be more than twenty-one business days from the date the summons is issued unless at the time of filing the affidavit the plaintiff or plaintiff's attorney consents in writing to a later date.

2. In addition to attempted personal service, the plaintiff may request, and thereupon the clerk of the court shall make an order directing that the officer, or other person empowered to execute the summons, shall also serve the same by securely affixing a copy of such summons and the complaint in a conspicuous place on the dwelling of the premises in question at least ten days before the court date in such summons, and by also mailing a copy of the summons and complaint to the defendant at the defendant's last known address by ordinary mail at least ten days before the court date. If the officer, or other person empowered to execute the summons, shall return that the defendant is not found, or that the defendant has absconded or vacated his or her usual place of abode in this state, and if proof be made by affidavit of the posting and of the mailing of a copy of the summons and complaint, the judge shall at the request of the plaintiff proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure set forth in this section.

3. If the plaintiff does not request service of the original summons by posting and mailing as provided in subsection 2 of this section, and if the officer, or other person empowered to execute the summons, makes return that the defendant is not found, or that the defendant has absconded or vacated the defendant's usual place of abode in this state, the plaintiff may request the issuance of an alias summons and service of the same by posting and mailing in the time and manner provided in subsection 2 of this section. In addition, the plaintiff or an agent of the plaintiff who is at least eighteen years of age may serve the summons by posting and mailing a copy of the summons in the time and manner provided in subsection 2 of this section. Upon proof by affidavit of the posting and of the mailing of a copy of the summons or alias summons and the complaint, the judge shall proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure provided in subsection 2 of this section.

4. [On the date judgment is rendered as provided in this section where the defendant is in default, the clerk of the court shall mail to the defendant at the defendant's last known address by ordinary mail a notice informing the defendant of the judgment and the date it was entered, and stating that] The defendant has ten days from the date of the judgment to file a motion to set aside the judgment [in the circuit court, as the case may be,] and [that] unless the judgment is set aside within ten days, the judgment **for possession** will become final and the defendant will be subject to eviction from the premises without further notice. **On the date judgment is rendered if the defendant is in default, the clerk of the court shall mail to the defendant at the defendant's last known address by ordinary mail a notice informing the defendant of the foregoing.**

535.110. Applications for appeals shall be allowed and conducted in the manner provided as in other

civil cases; but no application for an appeal shall stay execution unless the defendant [give] **gives** bond, with security sufficient to secure the payment of all damages, costs and rent then due, and with condition to stay waste and to pay all subsequently accruing rent, if any, into court within ten days [after it becomes due,] **after an entry of the judgment by the trial court, all other provisions of law to the contrary notwithstanding**, pending determination of the appeal. **Execution for the purpose of restoring possession shall be stayed pending an appeal if the losing party posts a sufficient appeal bond.**

535.160. If the defendant, on the date any money judgment is given in any action pursuant to this chapter, either tenders to the landlord, or brings into the court where the suit is pending, all the rent then in arrears, and all the costs, further proceedings in the action shall cease and be stayed. If on any date after the date of any original trial, **but before the judgment becomes final**, the defendant shall satisfy such money judgment and pay all costs, any execution for possession of the subject premises shall cease and be stayed; except that the landlord shall not thereby be precluded from making application for appeal from such money judgment. If for any reason no money judgment is entered against the defendant and judgment for the plaintiff is limited only to possession of the subject premises, no stay of execution shall be had, except as provided by the provisions of section 535.110 or the rules of civil procedure or by agreement of the parties.

[534.360. If it shall appear to the officer having charge of the execution that the defendant therein is about to remove, conceal or dispose of his property, so as to hinder or delay the levy, the rents and profits, damages and costs may be levied before the expiration of the time allowed for taking an appeal.]”;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 272**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1048**, entitled:

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to design-build contracts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Richard, the Senate recess until 8:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **SCS** for **SB 456**, entitled:

An Act to repeal sections 301.140, 301.190, 301.562, and 407.581, RSMo, and to enact in lieu thereof five new sections relating to ownership of motor vehicles.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 456, Page 4, Section 301.140, Line 112, by deleting the phrase “301.127” and inserting in lieu thereof the phrase “[301.127] **301.217**”; and

Further amend said bill, Page 16, Section 301.562, Line 120, by deleting the word “**action**” and inserting in lieu thereof the word “**section**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 473**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 283**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 254**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 524**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 2**.

Concurrent Resolution enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 270**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 270**, as amended. Representatives: Dugger, Walker, Leara, Montecillo and Colona.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 473**, as amended. Representatives: Rowland, Johnson, Fitzwater (144), Montecillo and Conway (10).

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 254**, as amended. Representatives: Davis, Jones, Allen, Conway (10) and Kirkton.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 283**, as amended. Representatives: Leara, McCaherty, Mathews, Colona and Carpenter.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 473**, with **HCS**, as amended: Senators Schaaf, Dixon, Hegeman, Keaveny and Holsman.

HOUSE BILLS ON THIRD READING

HB 556, introduced by Representative Wood, with **SCS**, entitled:

An Act to repeal sections 211.031 and 211.036, RSMo, and to enact in lieu thereof three new sections relating to the children's division.

Was called from the Informal Calendar and taken up by Senator Riddle.

SCS for **HB 556**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 556

An Act to repeal sections 211.031, 211.036, 455.010, 455.020, 455.032, 455.040, 455.045, 455.050, 455.080, 455.503, 455.505, 455.513, 455.520, and 455.523, RSMo, section 455.085 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 455.085 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, section 455.538 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 455.538 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, and to enact in lieu thereof nineteen new sections relating to children and families, with penalty provisions.

Was taken up.

Senator Riddle moved that **SCS** for **HB 556** be adopted.

Senator Riddle offered **SS** for **SCS** for **HB 556**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 556

An Act to repeal sections 211.031, 211.036, 455.010, 455.020, 455.032, 455.040, 455.045, 455.050, 455.080, 455.503, 455.505, 455.513, 455.520, and 455.523, RSMo, section 455.085 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 455.085 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, section 455.538 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 455.538 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, and to enact in lieu thereof twenty-one new sections relating to children and families, with penalty provisions.

Senator Riddle moved that **SS** for **SCS** for **HB 556** be adopted.

Senator Sater offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 556, Page 4, Section 192.390, Line 12-13, of said page, by striking the following: “, provided that the state is the payor of last resort.” and inserting in lieu thereof the following: “**. The department shall not provide coverage for children who are already receiving coverage for amino acid-based elemental formulas through MO HealthNet; the women, infants, and children supplemental nutrition program; and the children’s health insurance program.**”.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 556, Page 4, Section 170.048, Line 2, by inserting after all of said line the following:

“191.332. 1. By January 1, 2002, the department of health and senior services shall, subject to appropriations, expand the newborn screening requirements in section 191.331 to include potentially treatable or manageable disorders, which may include but are not limited to cystic fibrosis, galactosemia, biotinidase deficiency, congenital adrenal hyperplasia, maple syrup urine disease (MSUD) and other amino acid disorders, glucose-6-phosphate dehydrogenase deficiency (G-6-PD), MCAD and other fatty acid oxidation disorders, methylmalonic acidemia, propionic acidemia, isovaleric acidemia and glutaric acidemia Type I.

2. By January 1, 2016, the department of health and senior services shall, subject to appropriations, expand the newborn screening requirements in section 191.331 to include severe combined immunodeficiency (SCID), also known as bubble boy disease.

3. The department of health and senior services may promulgate rules to implement the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 556, Page 7, Section 210.148, Line 6, by inserting immediately after all of said line the following:

“210.221. 1. The department of health and senior services shall have the following powers and duties:

(1) After inspection, to grant licenses to persons to operate child-care facilities if satisfied as to the good character and intent of the applicant and that such applicant is qualified and equipped to render care or service conducive to the welfare of children, and to renew the same when expired. No license shall be granted for a term exceeding two years. Each license shall specify the kind of child-care services the licensee is authorized to perform, the number of children that can be received or maintained, and their ages and sex;

(2) To inspect the conditions of the homes and other places in which the applicant operates a child-care facility, inspect their books and records, premises and children being served, examine their officers and agents, deny, suspend, place on probation or revoke the license of such persons as fail to obey the provisions of sections 210.201 to 210.245 or the rules and regulations made by the department of health and senior services. The director also may revoke or suspend a license when the licensee fails to renew or surrenders the license;

(3) To promulgate and issue rules and regulations the department deems necessary or proper in order to establish standards of service and care to be rendered by such licensees to children. No rule or regulation promulgated by the division shall in any manner restrict or interfere with any religious instruction, philosophies or ministries provided by the facility and shall not apply to facilities operated by religious organizations which are not required to be licensed; [and]

(4) To approve training concerning the safe sleep recommendations of the American Academy of Pediatrics in accordance with section 210.223; and

(5) To determine what records shall be kept by such persons and the form thereof, and the methods to be used in keeping such records, and to require reports to be made to the department at regular intervals.

2. Any child-care facility may request a variance from a rule or regulation promulgated pursuant to this section. The request for a variance shall be made in writing to the department of health and senior services and shall include the reasons the facility is requesting the variance. The department shall approve any variance request that does not endanger the health or safety of the children served by the facility. The burden of proof at any appeal of a disapproval of a variance application shall be with the department of health and senior services. Local inspectors may grant a variance, subject to approval by the department of health and senior services.

3. The department shall deny, suspend, place on probation or revoke a license if it receives official written notice that the local governing body has found that license is prohibited by any local law related to the health and safety of children. The department may, after inspection, find the licensure, denial of licensure, suspension or revocation to be in the best interest of the state.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 210.201 to 210.245 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be

interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

210.223. 1. All licensed child care facilities that provide care for children less than one year of age shall implement and maintain a written safe sleep policy in accordance with the most recent safe sleep recommendations of the American Academy of Pediatrics. The purpose of the safe sleep policy is to maintain a safe sleep environment that reduces the risk of sudden infant death syndrome and sudden unexpected infant deaths in children less than one year of age.

2. When, in the opinion of the infant's licensed health care provider, an infant requires alternative sleep positions or special sleeping arrangements that differ from those set forth in the most recent sleep recommendations of the American Academy of Pediatrics, the child care facility shall be provided with written instructions, signed by the infant's licensed health care provider, detailing the alternative sleep positions or special sleeping arrangements for such infant. The child care facility shall put the infant to sleep in accordance with such written instructions.

3. As used in this section, the following terms shall mean:

(1) "Sudden infant death syndrome", the sudden death of an infant less than one year of age that cannot be explained after a thorough investigation has been conducted, including a complete autopsy, an examination of the death scene, and a review of the clinical history;

(2) "Sudden unexpected infant death", the sudden and unexpected death of an infant less than one year of age in which the manner and cause of death are not immediately obvious prior to investigation. Causes of sudden unexpected infant death include but are not limited to metabolic disorders, hypothermia or hyperthermia, neglect or homicide, poisoning, and accidental suffocation.

4. All employees of licensed child care facilities who care for infants less than one year of age or any volunteer who may be assisting at the facility shall successfully complete department-approved training on the most recent safe sleep recommendations of the American Academy of Pediatrics every three years.

5. The department shall promulgate rules to implement the provisions of this section. Such rules shall include, but not be limited to:

(1) Amending any current rules which are not in compliance with the most recent safe sleep recommendations of the American Academy of Pediatrics, including but not limited to 19 CSR 30.62-092(1)C which permits the use of bumper pads in cribs or playpens;

(2) Keeping soft or loose bedding away from sleeping infants and out of safe sleep environments, including but not limited to bumper pads, pillows, quilts, comforters, sleep positioning devices, sheepskins, blankets, flat sheets, cloth diapers, bibs, and other similar items;

(3) Prohibiting blankets or other soft or loose bedding from being hung on the sides of cribs.

6. The department may adopt emergency rules to implement the requirements of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the

provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Sater offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 556, Page 4, Section 192.390, Line 26, of said page, by inserting after all of said line the following:

“208.065. 1. No later than January 1, 2016, the department of social services shall procure and enter into a competitively bid contract with a contractor to provide verification of initial and ongoing eligibility data for assistance under the supplemental nutrition assistance program (SNAP); temporary assistance for needy families (TANF) program; child care assistance program; and MO HealthNet program. The contractor shall conduct data matches using the name, date of birth, address, Social Security number of each applicant and recipient, and additional data provided by the applicant or recipient relevant to eligibility against public records and other data sources to verify eligibility data.

2. The contractor shall evaluate the income, resources, and assets of each applicant and recipient no less than quarterly. In addition to quarterly eligibility data verification, the contractor shall identify on a monthly basis any program participants who have died, moved out of state, or have been incarcerated longer than ninety days.

3. The contractor, upon completing an eligibility data verification of an applicant or recipient, shall notify the department of the results, except that the contractor shall not verify the eligibility data of persons residing in long-term care facilities whose income and resources were at or below the applicable financial eligibility standards at the time of their last review. Within twenty business days of such notification, the department shall make an eligibility determination. The department shall retain final authority over eligibility determinations. The contractor shall keep a record of all eligibility data verifications communicated to the department.

4. Within thirty days of the end of each calendar year, the department and contractor shall file a joint report on a yearly basis to the governor, the speaker of the house of representatives, and the president pro tempore of the senate. The report shall include, but shall not be limited to, the number of applicants and recipients determined ineligible for assistance programs based on the eligibility data verification by the contractor and the stated reasons for the determination of ineligibility by the department.”; and

Further amend the title and enacting clause accordingly.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Brown offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 556, Page 13, Section 211.036, Line 12, by inserting immediately after said line the following:

“211.171. 1. The procedure to be followed at the hearing shall be determined by the juvenile court judge and may be as formal or informal as he or she considers desirable, consistent with constitutional and statutory requirements. The judge may take testimony and inquire into the habits, surroundings, conditions and tendencies of the child and the family to enable the court to render such order or judgment as will best promote the welfare of the child and carry out the objectives of this chapter.

2. The hearing may, in the discretion of the court, proceed in the absence of the child and may be adjourned from time to time.

3. The current foster parents of a child, or any preadoptive parent or relative currently providing care for the child, shall be [provided with notice of, and an opportunity to be heard in, any hearing to be held with respect to the child, and a foster parent shall have standing to participate in all court hearings pertaining to a child in their care] **a party to any matter involving the child in their care and participate as a party in all court hearings pertaining to that child.**

4. All cases of children shall be heard separately from the trial of cases against adults.

5. Stenographic notes or an authorized recording of the hearing shall be required if the court so orders or, if requested by any party interested in the proceeding.

6. The general public shall be excluded and only such persons admitted as have a direct interest in the case or in the work of the court except in cases where the child is accused of conduct which, if committed by an adult, would be considered a class A or B felony; or for conduct which would be considered a class C felony, if the child has previously been formally adjudicated for the commission of two or more unrelated acts which would have been class A, B or C felonies, if committed by an adult.

7. The practice and procedure customary in proceedings in equity shall govern all proceedings in the juvenile court; except that, the court shall not grant a continuance in such proceedings absent compelling extenuating circumstances, and in such cases, the court shall make written findings on the record detailing the specific reasons for granting a continuance.

8. The court shall allow the victim of any offense to submit a written statement to the court. The court shall allow the victim to appear before the court personally or by counsel for the purpose of making a statement, unless the court finds that the presence of the victim would not serve justice. The statement shall relate solely to the facts of the case and any personal injuries or financial loss incurred by the victim. A member of the immediate family of the victim may appear personally or by counsel to make a statement if the victim has died or is otherwise unable to appear as a result of the offense committed by the child.”; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 556, Page 2, Section A,

Line 5, by inserting immediately after all of said line the following:

“135.1150. 1. This section shall be known and may be cited as the “Residential Treatment Agency Tax Credit Act”.

2. As used in this section, the following terms mean:

(1) “Certificate”, a tax credit certificate issued under this section;

(2) “Department”, the Missouri department of social services;

(3) “Eligible donation”, donations received from a taxpayer by an agency that are used solely to provide direct care services to children who are residents of this state. Eligible donations may include cash, publicly traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department of social services. For purposes of this section, “direct care services” include but are not limited to increasing the quality of care and service for children through improved employee compensation and training;

(4) “Qualified residential treatment agency” or “agency”, a residential care facility that is licensed under section 210.484, accredited by the Council on Accreditation (COA), the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), or the Commission on Accreditation of Rehabilitation Facilities (CARF), and is under contract with the Missouri department of social services to provide treatment services for children who are residents or wards of residents of this state, and that receives eligible donations. Any agency that operates more than one facility or at more than one location shall be eligible for the tax credit under this section only for any eligible donation made to facilities or locations of the agency which are licensed and accredited;

(5) “Taxpayer”, any of the following individuals or entities who make an eligible donation to an agency:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed in chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed in chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed in chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

3. For all taxable years beginning on or after January 1, 2007, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter [147, 148, or] 143, **147, or 148**, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer’s state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer’s four subsequent taxable years.

4. To claim the credit authorized in this section, an agency may submit to the department an application

for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the agency has submitted the following items accurately and completely:

(1) A valid application in the form and format required by the department;

(2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received by the agency; and

(3) Payment from the agency equal to the value of the tax credit for which application is made. If the agency applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

5. An agency may apply for tax credits in an aggregate amount that does not exceed the payments made by the department to the agency in the preceding twelve months.

6. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit.

7. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid and void.

[8. Under section 23.253 of the Missouri sunset act:

(1) The program authorized under this section shall expire on December 31, 2015; and

(2) This section shall terminate on September 1, 2016.]

135.1180. 1. This section shall be known and may be cited as the “Developmental Disability Care Provider Tax Credit Program”.

2. As used in this section, the following terms mean:

(1) “Certificate”, a tax credit certificate issued under this section;

(2) “Department”, the Missouri department of social services;

(3) “Eligible donation”, donations received by a provider from a taxpayer that are used solely to provide direct care services to persons with developmental disabilities who are residents of this state. Eligible donations may include cash, publicly traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department of social services. For purposes of this section, “direct care services” include, but are not limited to, increasing the quality of care and service for persons with developmental disabilities through improved employee compensation and training;

(4) “Qualified developmental disability care provider” or “provider”, a care provider that provides assistance to persons with developmental disabilities, and is accredited by the Council on Accreditation

(COA), the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), or the Commission on Accreditation of Rehabilitation Facilities (CARF), or is under contract with the Missouri department of social services or department of mental health to provide treatment services for such persons, and that receives eligible donations. Any provider that operates more than one facility or at more than one location shall be eligible for the tax credit under this section only for any eligible donation made to facilities or locations of the provider which are licensed or accredited;

(5) “Taxpayer”, any of the following individuals or entities who make an eligible donation to a provider:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed in chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed in chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed in chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

3. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148 excluding withholding tax imposed by sections 143.191 to 143.265 in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer’s state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer’s four subsequent taxable years.

4. To claim the credit authorized in this section, a provider may submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the provider has submitted the following items accurately and completely:

(1) A valid application in the form and format required by the department;

(2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received by the provider; and

(3) Payment from the provider equal to the value of the tax credit for which application is made. If the provider applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

5. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit.

6. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this

section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

[7. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December 31, 2016, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.]’; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Riddle moved that **SS** for **SCS** for **HB 556**, as amended, be adopted, which motion prevailed.

Senator Riddle, moved that **SS** for **SCS** for **HB 556**, as amended, be read the 3rd time and passed and was recognized to close.

President Pro Tem Dempsey referred **SS** for **SCS** for **HB 556**, as amended, to the Committee on Governmental Accountability and Fiscal Oversight.

SENATE BILLS FOR PERFECTION

Senator Nasheed moved that **SB 44**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 44**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 44

An Act to repeal section 213.055, RSMo, and to enact in lieu thereof one new section relating to criminal history inquiries of applicants for employment.

Was taken up.

Senator Nasheed moved that **SCS** for **SB 44** be adopted.

Senator Dempsey offered **SS** for **SCS** for **SB 44**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 44

An Act to repeal section 213.055, RSMo, and to enact in lieu thereof one new section relating to criminal history inquiries of applicants for employment.

Senator Dempsey moved that **SS** for **SCS** for **SB 44** be adopted.

Senator Pearce assumed the Chair.

Senator Dempsey offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 44, Page 3, Section 213.055, Line 21, by striking the word “shall” and inserting in lieu thereof the following: “**may**”.

Senator Dempsey moved that the above amendment be adopted.

Senator Onder assumed the Chair.

At the request of Senator Nasheed, **SB 44**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Kehoe moved that **SB 231**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 231**, as amended, entitled:

**HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 231**

An Act to repeal sections 142.815, 144.030, and 306.100, RSMo, and to enact in lieu thereof three new sections relating to watercraft.

Was taken up.

Senator Kehoe moved that **HCS** for **SB 231**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kehoe, **HCS** for **SB 231**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer

Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—33							

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Wallingford moved that **SCS** for **SBs 34** and **105**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SBs 34** and **105**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NOS. 34 and 105

An Act to repeal sections 115.135, 115.275, 115.277, 115.279, 115.283, 115.287, 115.291, 115.912, and 115.940, RSMo, and to enact in lieu thereof eight new sections relating to military and overseas voter registration, with an emergency clause.

Was taken up.

Senator Wallingford moved that **HCS** for **SCS** for **SBs 34** and **105**, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Wallingford, **HCS** for **SCS** for **SB 34** and **105**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Cunningham moved that **SB 318**, with **HA 1** and **HA 2**, be taken up for 3rd reading and final passage, which motion prevailed.

HA 1 was taken up.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed by the

following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

HA 2 was taken up.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Cunningham, **SB 318**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Kehoe moved that **SCS** for **SB 456**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 456**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 456

An Act to repeal sections 301.140, 301.190, 301.562, and 407.581, RSMo, and to enact in lieu thereof five new sections relating to ownership of motor vehicles.

Was taken up.

Senator Kehoe moved that **HCS** for **SCS** for **SB 456**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kehoe, **HCS** for **SCS** for **SB 456**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
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Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

President Pro Tem Dempsey assumed the Chair.

Senator Schupp moved that the Senate refuse to concur in **HA 1** and **HA 2** to **SB 446**, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Onder assumed the Chair.

HOUSE BILLS ON SECOND READING

The following Joint Resolution and Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HJR 24**—Rules, Joint Rules, Resolutions and Ethics.

HB 322—Transportation, Infrastructure and Public Safety.

HCS for **HB 867**—Veterans' Affairs and Health.

HCS for **HB 694**—Transportation, Infrastructure and Public Safety.

HB 1024—Rules, Joint Rules, Resolutions and Ethics.

HB 202—Small Business, Insurance and Industry.

HCS for **HB 476**—Education.

HB 842—Transportation, Infrastructure and Public Safety.

HCS for **HB 209**—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 1023**—Education.

HB 389—Ways and Means.

HCS for **HB 627**—Small Business, Insurance and Industry.

HB 101—Ways and Means.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 270**, as amended: Senators Nasheed, Schaaf, Wallingford, Onder and Keaveny.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 254**, as amended: Senators Kraus, Brown, Dixon, Holsman and Nasheed.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 283**, as amended: Senators Kehoe, Wasson, Pearce, Keaveny and Schupp.

RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 966, regarding Jon Mark Mikkelsen, PhD., Saint Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 967, regarding Steven Gregory Greiert, PhD., Saint Joseph, which was adopted.

Senator Richard offered Senate Resolution No. 968, regarding Freeman Health Systems, which was adopted.

Senator Emery offered Senate Resolution No. 969, regarding Aaron Creed, Springfield, which was adopted.

Senators Kehoe and Schatz offered Senate Resolution No. 970, regarding Dr. William C. “Chris” Neale, Hermann, which was adopted.

Senator Kehoe offered Senate Resolution No. 971, regarding Keith Schafer, Jefferson City, which was adopted.

Senator Romine offered Senate Resolution No. 972, regarding LaDonna Smith, Bonne Terre, which was adopted.

Senator Dempsey offered Senate Resolution No. 973, regarding Olivia Rose Saindon, Portage Des Sioux, which was adopted.

Senator Dempsey offered Senate Resolution No. 974, regarding Jesse Amber Basler, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 975, regarding Kristen Elizabeth Crow, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 976, regarding Jailan Xavier Thomas, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 977, regarding Marie Owen, St. Peters, which was adopted.

Senator Dempsey offered Senate Resolution No. 978, regarding Angie Christine Barlos, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 979, regarding Molly Elizabeth Imboden, St. Peters, which was adopted.

Senator Dempsey offered Senate Resolution No. 980, regarding Kara Lynn McElvenney, St. Charles, which was adopted.

Senator Emery offered Senate Resolution No. 981, regarding Cole Diggins, Moundville, which was adopted.

Senator Wieland offered Senate Resolution No. 982, regarding Sherri Strauser, which was adopted.

Senator Riddle offered Senate Resolution No. 983, regarding D'Cherion Nelson, Mexico, which was adopted.

Senator Riddle offered Senate Resolution No. 984, regarding Joshua Pales, Mexico, which was adopted.

Senator Riddle offered Senate Resolution No. 985, regarding Charles Eckardt, Mexico, which was adopted.

Senator Riddle offered Senate Resolution No. 986, regarding Emran Babak, Mexico, which was adopted.

Senator Riddle offered Senate Resolution No. 987, regarding Maxwell Broughton, Mexico, which was adopted.

Senator Schmitt offered Senate Resolution No. 988, regarding Amanda Rose Claywell, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 989, regarding Madeleine Christine Coakley, Kirkwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 990, regarding Èile Caitlin Woeltje, Manchester, which was adopted.

Senator Schmitt offered Senate Resolution No. 991, regarding Julia Meryl Brose, Wildwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 992, regarding Tara N. LeClere, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 993, regarding Lydia M. Aiken, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 994, regarding Kenneth Kaup, St. Louis, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Stacie Savage, Warrensburg; Ginger Meyer, and Lydia Meyer, Jefferson City; and Rachel Pankau, Columbia.

Senator Holsman introduced to the Senate, John T. Lubianetsky, his wife, Lisa-Ann Sugimoto, their

children, John A. and Eric, Kansas City; and John and Eric were made honorary pages.

Senator Keaveny introduced to the Senate, Bill Thalhuber, St. Paul, Minnesota.

Senator Sifton introduced to the Senate, Rachel and Mike Hennies, their children, Oden and Soren; and Oden and Soren were made honorary pages.

Senator Pearce introduced to the Senate, Denise Kaullen, Odessa; and Rhonda Creason, Purdin.

Senator Cunningham introduced to the Senate, Dennis Richardson, Marshfield.

Senator Kehoe introduced to the Senate, Kelly Carrender, parents; and eighteen fourth grade students from St. Stanislaus School, Wardsville.

Senator Cunningham introduced to the Senate, board members of the Webster County Cooperative, Marshfield.

Senator Brown introduced to the Senate, Anna West, and her parents, Lonnie and Janet, Rolla.

Senator Dixon introduced to the Senate, Vice President Ken McClure, Debbie Donnellan, and a group of Staff Ambassadors, Missouri State University, Springfield.

Senator Sifton introduced to the Senate, sixty fourth grade students from Edgar Road Elementary School, Webster Groves.

Senator Pearce introduced to the Senate, students from St. Mary's Catholic School, Glasgow.

Senator Schupp introduced to the Senate, the Physician of the Day, Dr. Edmond B. Cabbabe, St. Louis.

Senator Romine introduced to the Senate, Randy Weith, Sharon Giesler and Jan Weith, Ste. Genevieve; and Lisa Sundblad, St. Mary.

Senator Brown introduced to the Senate, Dwayne and JoAnn Glass, Kansas City.

Senator Pearce introduced to the Senate, Marcia Pithan and Joselyn Meservey.

Senator Riddle introduced to the Senate, Victoria, Olivia, Gabriel and Wyatt Linneman, Troy.

Senator Onder introduced to the Senate, his wife, Allison, Lake Saint Louis.

Senator Romine introduced to the Senate, Jacob Ashley; his parents, James and Amy; Abigail Snodgrass; and Dylan Anderson, Hillsboro.

Senator Curls introduced to the Senate, Teri Ackerson, Kansas City.

Senator Schatz introduced to the Senate, thirty seventh grade students from St. Gertrude School, Washington.

Senator Kehoe introduced to the Senate, Hunter Wyss, and his mother, Linda, Vienna.

Senator Schatz introduced to the Senate, Ethan Sellers, Sullivan.

Senator Sater introduced to the Senate, Shannon Pyle and Mark Stearns, Cassville.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-FIRST DAY—THURSDAY, APRIL 30, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1048

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)

SCS for SB 56-Munzlinger (In Fiscal Oversight)

SS for SB 201-Dixon (In Fiscal Oversight)

SB 203-Dixon (In Fiscal Oversight)

SB 352-Schaefer (In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

HCS for HJR 34, with SCS (Schmitt)

HCS for HB 882-McGaugh, with SCS
(Munzlinger) (In Fiscal Oversight)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

SB 17-Dixon	SB 305-Onder
SB 37-Romine, with SCS & SA 1 (pending)	SB 313-Wallingford, with SCS
SB 44-Nasheed, with SCS, SS for SCS & SA 1 (pending)	SBs 331 & 21-Libla, with SCS & SS for SCS (pending)
SB 46-Holsman	SB 339-Munzlinger, with SS (pending)
SB 53-Schaaf, with SS#2 (pending)	SB 358-Kehoe
SB 55-Munzlinger	SB 360-Parson, with SCS
SB 59-Dixon	SB 371-Munzlinger
SB 69-LeVota, with SCS	SB 372-Keaveny, with SCS (pending)
SB 80-Dixon, with SCS	SB 374-Schatz, with SCS
SB 91-Dixon, with SCS	SB 399-Onder
SBs 112, 212, 143 & 234-Dixon, with SCS	SB 400-Onder, with SS (pending)
SB 117-Brown, with SCS	SB 409-Wallingford, with SCS
SB 127-Brown, with SCS	SB 420-Schmitt
SB 130-Walsh and Schupp, with SCS	SB 424-Pearce, with SA 1 (pending)
SB 151-Sater	SB 427-Sifton, with SCS
SB 159-Parson	SB 432-Onder, with SCS
SB 167-Schaaf, with SCS	SB 442-Schaefer
SB 177-Munzlinger, with SCS	SBs 451, 307, 100 & 165-Dixon, with SCS
SB 220-Kehoe	SB 452-Schmitt, et al, with SA 1 & point of order (pending)
SB 225-Romine, with SCS	SB 455-Kehoe
SB 227-Emery, with SS (pending)	SB 469-Munzlinger
SB 232-Kehoe, with SCS (pending)	SB 471-Schaaf
SB 233-Kehoe, with SCS & SA 2 (pending)	SB 481-Onder, with SCS
SB 266-Schaefer, with SCS	SB 520-Kehoe, with SCS
SB 267-Schaefer, with SCS	SB 528-Sater
SB 268-Pearce, with SCS	SB 540-Libla, with SS (pending)
SB 286-Schaaf and Silvey	SB 567-Chappelle-Nadal, et al
SB 299-Pearce	SJR 7-Richard and Wallingford
SB 302-Riddle, with SCS (pending)	SJR 12-Onder, with SCS (pending)
SB 304-Keaveny, with SCS	

HOUSE BILLS ON THIRD READING

HB 92-Miller (Kehoe)	HB 533-Dugger, with SCS (Wasson)
HB 108-McCaherty (Dixon)	SS for SCS for HB 556-Wood (Riddle)
HB 190-Swan (Wallingford)	(In Fiscal Oversight)
HB 271-Hoskins (Dixon)	HB 589-Hough, with SCS (Onder)
HCS for HB 299, with SCS (Kraus)	HCS for HB 709, with SCS (Parson)
HB 336-McGaugh (Kraus)	HCS for HB 722, with SS & point of order
HB 514-Leara (Schmitt)	(pending) (Kehoe)
(In Fiscal Oversight)	HCS for HB 777 (Kraus)
SS for SCS for HCS for HBs 517 & 754	HB 836-Ross (Libla)
(Kraus) (In Fiscal Oversight)	HJR 1-Dugger (Kraus)

CONSENT CALENDAR**House Bills****Reported 4/9**

HB 125-Black (Romine)

Reported 4/15

HB 41-Wood, with SCS (Kehoe)	HB 874-Remole (Munzlinger)
HB 511-Mathews (Schatz)	HB 1116-Rehder (Libla)
HB 88-Walton Gray (Walsh)	HB 1119-Redmon (Hegeman)
HB 326-Leara (Kehoe)	HB 1052-Miller (Wasson)
HB 361-Spencer (Riddle)	HB 1098-Crawford, with SCS (Kraus)
HB 400-Peters (Walsh)	HB 391-Gosen (Parson)
HB 402-Phillips (Sater)	HB 343-Lair, with SCS (Wieland)
HB 403-Phillips, with SCS (Sater)	HB 947-Wiemann, with SCS (Wallingford)
HB 404-Phillips (Sater)	HB 179-Chipman (Brown)
HB 567-Dunn (Curls)	HB 269-Miller (Kehoe)
HB 778-Ruth (Romine)	HB 650-Cornejo (Schaefer)
HB 859-Dunn (Curls)	HB 869-Solon (Schatz)
HB 861-Fitzwater (49) (Wasson)	

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 67-Cunningham, with
HCS, as amended

SB 221-Schatz, with HCS

**BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES**

In Conference

SS for SCS for SB 5-Schmitt, with HCS,
as amended
SS#2 for SCS for SB 11-Richard, with HA 1,
HA 2, as amended, HA 3, as
amended & HA 4
SB 104-Kraus, with HCS, as amended
(House grants further conference)
SCS for SB 152-Wallingford, with HCS, as
amended (CCR Offered)

SB 254-Kraus, with HCS, as amended
SCS for SB 270-Nasheed, with HCS, as
amended
SB 283-Kehoe, with HCS, as amended
SCS for SB 473-Schaaf, with HCS, as
amended
HCS for HB 42 with SCS, as amended
(Pearce)

Requests to Recede or Grant Conference

SB 282-Parson, with HCS, as amended
(Senate requests House recede or
grant conference)
SB 446-Schupp and Brown, with HA 1 & HA 2,
as amended (Senate requests House
recede or grant conference)

HB 458-Allen, with SS for SCS, as
amended (Schmitt) (House requests
Senate recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 38-Richard
SCR 39-Dixon and Holsman
HCR 18-McCann (Curls)

HCR 26-Shull
HCS for HCR 32 (Romine)
HCR 34-Rowland (Cunningham)

Journal of the Senate

FIRST REGULAR SESSION

SIXTY-FIRST DAY—THURSDAY, APRIL 30, 2015

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

“Now therefore, our God, we thank you and praise your glorious name.” (I Chronicles 29:13)

It has been a full week already Lord, and this day has just begun. We ask that You will continue to abide with us and help us make sound decisions. Knowing You have helped us we can return home to catch up on the work that we have left behind and ahead of us. Let us be mindful and thankful of our families who have been so supportive of our desire to serve as senators and help us to over extend ourselves week after week. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Photographers from the Missouri Military Academy were given permission to take pictures in the Senate Chamber.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 995, regarding State Employee Recognition Week, which was adopted.

Senator Keaveny offered Senate Resolution No. 996, regarding William Leon Kroc, Webster Groves, which was adopted.

CONCURRENT RESOLUTIONS

Senator Richard moved that **SCR 38** be taken up for adoption, which motion prevailed.

On motion of Senator Richard, **SCR 38** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Pat Ann Danner Meyer, Democrat, as a member of the Credit Union Commission; and

Jade D. James, Democrat, as a member of the State Board of Registration for the Healing Arts.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS** for **HCS** for **HBs 517** and **754** and **HB 514** begs leave to report that it has considered the same and recommends that the bills do pass.

HOUSE BILLS ON THIRD READING

Senator Schmitt moved that **HB 514** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

HB 514 was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senator Emery—1

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Schmitt moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HB 458**, as amended, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Cunningham moved that the Senate refuse to concur in **HCS** for **SS** for **SCS** for **SB 67**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Libla moved that **SB 540**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Onder assumed the Chair.

SS for **SB 540** was taken up.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 540, Page 1, In the Title, Line 7, by inserting immediately after “taxes” the following: “, with a referendum clause”; and

Further amend said bill, page 4, section 142.803, line 20 of said page, by inserting after all of said line the following:

“Section B. This act is hereby submitted to the qualified voters of this state for approval or rejection at an election which is hereby ordered and which shall be held and conducted on Tuesday next following the first Monday in November, 2016, pursuant to the laws and constitutional provisions of this state for the submission of referendum measures by the general assembly, and this act shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise.”.

Senator Schaaf moved that the above amendment be adopted.

Senator Emery requested a roll call vote be taken. He was joined in his request by Senators Brown, Hegeman, Libla and Sater.

At the request of Senator Schaaf, **SA 1** was withdrawn.

Senator Schaaf offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 540, Page 1, In the Title, Lines 4-5, by striking all of said lines; and further amend line 7 of said title by striking “motor fuel taxes” and inserting in lieu thereof “transportation”; and

Further amend said bill and page, section 142.803, line 10 of said page, by striking all of said line and inserting in lieu thereof the following: **“31, 2015. Thereafter, such tax shall be eighteen and one-half cents per gallon except on diesel fuel. Beginning January 1, 2016, the tax on diesel fuel shall be twenty and one-half cents per gallon”**; and

Further amend said bill and section, page 3, line 24, by inserting after all of said line the following:

“3. The provisions of this section shall be effective August 28, 2015, provided however that the provisions of subdivisions (4) to (6) of subsection 1 of this section shall become effective January 1, 2016.”; and

Further amend said bill, pages 3-4, section 142.803, by striking all of said section from the bill and inserting in lieu thereof the following:

“238.500. Sections 238.500 to 238.580 may be cited as the “Public-Private Partnership Authority Act” or the “P3 Authority Act”.

238.510. As used in sections 238.500 to 238.580, the following terms mean:

(1) **“Contract”**, any purchase and sale agreement, lease, service agreement, franchise agreement, concession agreement or other written agreement entered into under sections 238.500 to 238.580 with respect to the provision of a public service and any related project;

(2) **“Department”**, the Missouri department of transportation;

(3) **“Private sector entity”**, any corporation, whether for profit or not for profit, limited liability company, partnership, limited liability partnership, sole proprietorship, business trust, joint venture, or other entity, whether foreign or domestic, but shall not mean the state, a political subdivision of the state, or a public or governmental entity, agency, or instrumentality of the state;

(4) **“Project”**, includes construction, reconstruction, rehabilitation, renovation, installation, or enlargement of any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, shelter, or rest area and any similar or related improvement to transportation infrastructure as part of Interstate 70 in existence as of August 28, 2015;

(5) **“Proposer”**, a private sector entity, a local or regional public entity or agency, or any group or combination thereof, submitting qualifications or a proposal for a public-private partnership contract;

(6) **“Public service”**, a service provided for a public purpose of the department and identified in a request for qualifications or proposals under sections 238.500 to 238.580;

(7) **“User fees”**, tolls, fees, rents, or other charges authorized to be imposed by the department and collected by the private sector entity under the terms of a public-private partnership agreement.

238.530. 1. There is established a board to be known as the “Building Missouri’s Future Board”.

(1) **The board shall be composed of three members to be appointed by the governor by and with**

the advice and consent of the senate.

(2) Gubernatorial appointees shall have significant expertise and experience in one or more of the following fields:

(a) Transportation;

(b) Finance; or

(c) Land use and planning.

(3) All appointees shall be citizens of the state of Missouri.

(4) Initial members of the board shall serve staggered terms with one member serving one year, the second member serving two years, and third member serving three years.

(5) Appointee terms thereafter shall be for three years. No appointee may hold a position on the board for longer than two terms.

(6) Vacancies shall be filled for the duration of the original term.

(7) The chairmanship of the board shall rotate on an annual basis among the three members of the board.

2. The duties and functions of the board shall include approval of any proposed contract between the department and a private sector entity to establish a public-private partnership agreement under the terms of section 238.550.

3. The board may incur such other reasonable and proper costs and expenses as are related to the duties and functions allowed by statute.

4. The board is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as the term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.

238.540. The Missouri department of transportation is charged with providing a public service shall have the authority to develop and implement a competitive process for identifying projects to be procured, funded, designed and built through public-private partnerships governed by comprehensive agreements entered into by the department and the selected, qualified proposer.

238.550. 1. The department may identify potential projects and public services for which a public-private partnership may be appropriate to improve public operational efficiencies, improve environmental performance, promote public safety, attract private investment in the state, and minimize government liabilities.

2. After the department identifies a potential partnership for a project or public service, the department shall conduct a public sector comparator study of the potential partnership. The members of the building Missouri's future board shall determine the scope of each public sector comparator, which scope shall depend on the type of proposed project and the nature of the public service under consideration for the partnership. The following shall be considered as components of a public sector comparator:

(1) The definition of the public need served by the proposed partnership;

(2) The cost required to meet the public need served by the public service under traditional

procurements or traditional public entity or commission operations;

(3) An analysis of alternative methods for providing the public services under consideration, including but not limited to design-build, design-build-finance, design-build-finance-operate-maintain, service contracts or leases, and how the alternative methods would meet the need served by the public service;

(4) An evaluation of the costs and benefits of using an alternative method or public-private partnership to render a public service, which shall include:

(a) The potential cost of utilizing an alternative method;

(b) The operation and technological risks involved in utilizing an alternative method;

(c) A comparative analysis of rendering the public service by allowing the department to utilize traditional methods;

(d) The financial impact the partnership will have on the department;

(e) The impact the partnership is projected to have on job formation, economic growth, and the community in which the public service is to be rendered.

3. The department shall develop and use a competitive procurement process to form a public-private partnership for the purpose of developing, financing, or operating a project. The department shall publish notice of the intent to enter into a contract for a partnership for public service or related project and shall publish notice of the intent to enter into a contract for a partnership for public service or related project and shall prepare a request for private sector entities interested in serving as proposers for the partnership. The notice shall notify interested parties of the opportunity to submit their qualifications for consideration and shall be published at least thirty days prior to the deadline for submitting those qualifications. The department also may advertise the information contained in the notice in appropriate and widely available print and electronic public and professional media and otherwise notify as it sees fit those parties believed to be interested in providing the public service and in any related project.

4. After inviting qualifications, the department shall evaluate the qualifications submitted and may hold discussions with proposers to further explore their qualifications. Following this evaluation, the department may determine a list of qualified proposers based on criteria in the invitation, and invite only those proposers to submit a proposal.

5. The department shall prepare a request for proposal and the proposed partnership contract which shall contain the terms and conditions to carry out and effectuate the purposes of sections 238.500 to 238.580 which may include:

(1) The duration of the contract, which shall not exceed seventy-five years;

(2) Rates or fees for the public services to be provided or methods or procedures for the determination of such rates or fees;

(3) Standards for the public services to be provided;

(4) Standards and responsibilities for operation and maintenance of any related project;

(5) Required financial assurances;

(6) Financial and other data reporting requirements;

(7) Bases and procedures for termination of the contract and retaking of possession or title to the project; and

(8) Events of default and remedies upon default, including mandamus, suits in equity, actions at law, or any combination of those remedial actions.

6. After proposals are received, the department shall evaluate the proposals submitted using the criteria established in its request for proposal and may hold discussions with proposers to further explore their proposals, the scope and nature of the public service or services they would provide, and the various technical approaches they may take regarding the public service and any related project. Following this evaluation, the department shall select the proposer ranked most qualified to provide the public service and shall negotiate and execute a comprehensive agreement establishing the terms for the financing, development, and operation of the project.

7. Upon failure to negotiate a comprehensive agreement with the proposer ranked most qualified, the department shall inform the proposer in writing of the termination of negotiations and may enter into negotiations with the proposer ranked next most qualified. If negotiations again fail, the same procedure may be followed with each next most qualified proposer selected and ranked, in order of ranking, until a comprehensive agreement is negotiated and executed.

8. If the department fails to negotiate a comprehensive agreement with any of the ranked proposers, the department may terminate the process or select and rank additional proposers, based on their qualifications or proposals, and the negotiations shall continue as with the proposers initially selected and ranked until a comprehensive agreement is negotiated.

9. The authorized representative of the department may reject any and all submissions of qualifications or proposals, and may unilaterally terminate the procurement process at any point.

238.560. The exercise of the powers granted by sections 238.500 to 238.580 will be for the benefit of the people of the state and shall be liberally construed to effect the purposes thereof. As the performance of public services will constitute the performance of essential government functions, any project or part thereof owned by the state and used for performing any public service pursuant to a contract entered into under sections 238.500 to 238.580 that would be exempt from taxation or assessments in the absence of such contract shall remain exempt from taxation and assessments levied by the state and its subdivisions to the same extent as if not subject to that contract. The gross receipts and income of a successful proposer derived from providing public services under a contract through a project owned by the state shall be exempt from taxation levied by the state and its subdivisions. Any transfer or lease between a proposer and the state of a project or part thereof, or item included or to be included in the project, shall be exempt from the taxes levied by the state and its political subdivisions if the state is retaining ownership of the project or part thereof that is being transferred or leased.

238.570. 1. The department shall have the authority to impose or collect user fees and they shall be empowered to delegate that authority to a private sector entity under the terms of a comprehensive public-private partnership agreement.

2. The department may retain or contract for the services of commercial appraisers, engineers, investment bankers, financial advisers, accounting experts, and other consultants, independent contractors, or providers of professional services as are necessary to carry out the department's powers and duties under sections 238.500 to 238.580, including the identification of public services and any related projects to be subject to invitations for qualifications or proposals under sections 238.500 to 238.580, the development of those invitations and related evaluation criteria, the evaluation of those invitations, and negotiation of any contract under sections 238.500 to 238.580.

238.580. If any provision of sections 238.500 to 238.580 or the application thereof to anyone or any circumstances is held invalid, the remainder of those sections and the application of such provisions to others or other circumstances shall not be affected thereby.

Section 1. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of section 142.803 shall be nonseverable from sections 238.500 to 238.580, and if any provision of sections 238.500 to 238.580 is for any reason held to be invalid, such decision shall invalidate section 142.803.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator Kraus offered **SA 1 to SA 2**:

SENATE AMENDMENT NO. 1 TO

SENATE AMENDMENT NO. 2

Amend Senate Amendment to Senate Substitute for Senate Bill No. 540, Page 4, Section 238.510, Line 6, by inserting after all of said line the following:

“4. Notwithstanding the provisions of sections 238.500 to 238.580 to the contrary, any agreement between the department and a private sector entity providing for the construction, operation, or maintenance of a highway and collection of user fees relating to such services shall be approved by a concurrent resolution of the general assembly before becoming effective.”; and further renumber the remaining subsection accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Keaveny offered **SA 2 to SA 2**:

SENATE AMENDMENT NO. 2 TO

SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Amendment No. 2 to Senate Substitute for Senate Bill No. 540, Page 9, Section 238.570, Line 15, by inserting immediately at the end of said line the following:

“Collection stations for user fees may only be established on portions of a highway consisting of two lanes of traffic traveling in each direction as of August 28, 2015.”.

Senator Keaveny moved that the above amendment be adopted, which motion failed.

SA 2, as amended, was again taken up.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Libla moved that **SS for SB 540**, as amended, be adopted, which motion prevailed.

Senator Libla moved that **SS for SB 540**, as amended, be declared perfected and ordered printed.

Senator Emery requested a roll call vote be taken on the perfection of **SS for SB 540**, as amended. He was joined in his request by Senators Libla, Hegeman, Holsman and Walsh.

SS for SB 540 was declared perfected and ordered printed by the following vote:

YEAS—Senators

Cunningham	Curls	Dempsey	Dixon	Holsman	Keaveny	Kehoe	LeVota
Libla	Munzlinger	Nasheed	Richard	Romine	Schatz	Schupp	Wallingford
Walsh	Wasson—18						

NAYS—Senators

Brown	Emery	Hegeman	Kraus	Onder	Pearce	Riddle	Sater
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Schaaf Schaefer Schmitt Silvey Wieland—13

Absent—Senator Sifton—1

Absent with leave—Senators

Chappelle-Nadal Parson—2

Vacancies—None

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 513**, entitled:

An Act to repeal sections 274.170, 274.190, 347.055, 347.160, 347.179, 347.740, 351.049, 351.065, 351.120, 351.122, 351.125, 351.127, 351.522, 351.576, 351.657, 351.658, 351.1015, 351.1018, 351.1213, 355.011, 355.021, 355.023, 355.703, 355.857, 356.211, 356.233, 357.010, 357.030, 357.060, 358.440, 358.460, 358.470, 358.501, 359.145, 359.531, 359.641, 359.651, 359.653, 392.010, 417.016, 417.018, 417.021, 417.026, 417.031, 417.170, 417.175, and 417.220, RSMo, and to enact in lieu thereof forty-three new sections relating to business filing fees collected by the secretary of state.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 824**, entitled:

An Act to repeal section 393.015, RSMo, and to enact in lieu thereof one new section relating to water service.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 122**, entitled:

An Act to repeal sections 563.031, 571.030, and 571.111, RSMo, and to enact in lieu thereof three new sections relating to firearms, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 479**, entitled:

An Act to amend chapter 267, RSMo, by adding thereto one new section relating to agricultural data collection.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 612**, entitled:

An Act to repeal section 221.111 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session and sections 217.360 and 221.407, RSMo, and to enact in lieu thereof three new sections relating to correctional facilities, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 530**, entitled:

An Act to repeal sections 72.418, 190.055, 321.017, 321.130, 321.210, and 321.322, RSMo, and to enact in lieu thereof six new sections relating to emergency services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1054**, entitled:

An Act to repeal section 163.410, RSMo, and to enact in lieu thereof one new section relating to school funding.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1044**, entitled:

An Act to amend chapter 478, RSMo, by adding thereto one new section relating to an armed offender docket in the circuit court of Jackson County.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 207**, entitled:

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to automated traffic enforcement systems, with a referendum clause.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 172**, entitled:

An Act to repeal sections 160.514, 161.855, 169.070, 169.141, 169.324, 169.560, 169.715, 173.750, and 178.550, RSMo, and to enact in lieu thereof thirteen new sections relating to elementary and secondary education, with an emergency clause for a certain section.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7 and 8.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 172, Page 3, Section 160.514, Line 75, by deleting the word “**entity**” and inserting in lieu thereof the word “**authority**”; and

Further amend said bill, Page 9, Section 161.855, Line 66, by inserting immediately after all of said line and section the following:

“167.223. 1. Public high schools may, in cooperation with Missouri public [community] **two-year** colleges and public or private four-year colleges and universities, offer postsecondary course options to high school students. A postsecondary course option allows eligible students to attend vocational or academic classes on a college or university campus and receive both high school and college credit upon successful completion of the course.

2. For purposes of state aid, the pupil’s resident district shall continue to count the pupil in the average daily attendance of such resident district for any time the student is attending a postsecondary course.

3. Any pupil enrolled in a [community] **two-year** college under a postsecondary course option shall be considered a resident student for the purposes of calculating state aid to the [community] **two-year** college.

4. [Community] **Two-year** colleges and four-year colleges and universities may charge reasonable fees for pupils enrolled in courses under a postsecondary course option. Such fees may be paid by the district of residence or by the pupil, as determined by the agreement between the district of residence and the college or university.”; and

Further amend said bill, Page 26, Section 170.029, Line 21, by inserting immediately after the word “**standards**” the following: “, **technical coursework, and skills assessments developed**”; and

Further amend said bill, Page 26, Section 169.715, Line 33, by inserting immediately after all of said line and section the following:

“170.011. 1. Regular courses of instruction in the Constitution of the United States and of the state of Missouri and in American history and institutions shall be given in all public and private schools in the state of Missouri, except privately operated trade schools, and shall begin not later than the seventh grade and

continue in high school to an extent determined by the state commissioner of education, and shall continue in college and university courses to an extent determined by the state commissioner of higher education. In the 1990-91 school year and each year thereafter, local school districts maintaining high schools shall comply with the provisions of this section by offering in grade nine, ten, eleven, or twelve a course of instruction in the institutions, branches and functions of the government of the state of Missouri, including local governments, and of the government of the United States, and in the electoral process. A local school district maintaining such a high school shall require that prior to the completion of the twelfth grade each pupil who receives a high school diploma or certificate of graduation on or after January 1, 1994, shall satisfactorily complete such a course of study. Such course shall be of at least one semester in length and may be two semesters in length. The department of elementary and secondary education may provide assistance in developing such a course if the district requests assistance. A school district may elect to waive the requirements of this subsection for any student who transfers from outside the state to a Missouri high school if the student can furnish documentation deemed acceptable by the school district of the student's successful completion in any year from the ninth through the twelfth grade of a course of instruction in the institutions, branches, and functions of state government, including local governments, and of the government of the United States, and in the electoral process.

2. A student of a college or university, who, after having earned a passing grade in a course of instruction prescribed in this section, transfers to another college or university, is not required to earn a passing grade in another such course as a condition precedent to his or her graduation from the college or university.

3. American history courses at the elementary and secondary levels shall include in their proper time-line sequence specific referrals to the details and events of the racial equality movement that have caused major changes in United States and Missouri laws and attitudes.

[3.] **4.** [No pupil shall receive a certificate of graduation from any public or private school other than private trade schools unless he has satisfactorily passed an examination on the provisions and principles of the Constitution of the United States and of the state of Missouri, and in American history and American institutions. A school district may elect to waive the requirements of this subsection for any student who transfers from outside the state to a Missouri high school if the student can furnish documentation deemed acceptable by the school district of the student's successful completion in any year from the ninth through the twelfth grade of a course of instruction in the institutions, branches, and functions of state government, including local governments, and of the government of the United States, and in the electoral process. A student of a college or university, who, after having completed a course of instruction prescribed in this section and successfully passed an examination on the United States Constitution, and in American history and American institutions required hereby, transfers to another college or university, is not required to complete another such course or pass another such examination as a condition precedent to his graduation from the college or university.] **To receive a certificate of graduation, public or private schools other than private trade schools may require a passing score on an examination of the provisions and principles of the Constitution of the United States, the Constitution of the state of Missouri, or both the Constitution of the United States and of the state of Missouri.**

[4.] **5.** In the 1990-91 school year and each year thereafter, each school district maintaining a high school may annually nominate to the state board of education a student who has demonstrated knowledge of the principles of government and citizenship through academic achievement, participation in extracurricular activities, and service to the community. Annually, the state board of education shall select

fifteen students from those nominated by the local school districts and shall recognize and award them for their academic achievement, participation and service.

[5.] **6.** The provisions of this section shall not apply to students from foreign countries who are enrolled in public or private high schools in Missouri, if such students are foreign exchange students sponsored by a national organization recognized by the department of elementary and secondary education.; and

Further amend said bill, Page 27, Section 170.029, Line 34 by inserting after said line the following:

“170.345. 1. This section shall be known as the “Missouri Civics Education Initiative”.

2. Any student entering ninth grade after July 1, 2016, who is attending any public, charter, or private school except private trade schools, or a student seeking to complete a high school equivalency certificate shall, as a condition of high school graduation or its equivalent, take and receive a passing grade on a basic civics test similar to the civics portion of the United States Naturalization test, produced by the United States Citizenship and Immigration Services (USCIS).

3. The test required under subsection 2 of this section shall consist of questions used by the USCIS that are administered to applicants for United States citizenship. In order to receive a passing score on the test, a student shall answer at least sixty percent of the questions correctly.

4. Any student may take the test as many times as necessary for passage but shall receive a passing score prior to receiving a high school diploma, a certificate of high school graduation, or a high school equivalency certificate.

5. Every public school, charter school, private school except private trade schools, and the department of elementary and secondary education shall certify that a student has taken and received a passing grade on the test.

6. Each school district shall adopt a policy to permit the waiver of the requirements of this section for any student with a disability if recommended by the student’s IEP committee. For purposes of this subsection, “IEP” means individualized education program.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 172, Page 4, Section 160.514, Line 111, by inserting immediately after all of said line the following:

“160.775. 1. Every district shall adopt an antibullying policy by September 1, 2007.

2. “Bullying” means intimidation or harassment that causes a reasonable student to fear for his or her physical safety or property; substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school. Bullying may consist of but is not limited to physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting of such acts. Bullying is prohibited by students on school property, at any school function, or on a school bus. “Cyberbullying” is bullying as defined in this subsection through the transmission of a communication including, but not limited to, a message, text, sound, or image by means of an electronic device including, but not limited to, a telephone, wireless telephone, or other wireless

communication device, computer, or pager.

3. Each district's antibullying policy shall be founded on the assumption that all students need a safe learning environment. Policies shall treat **all** students equally and shall not contain specific lists of protected classes of students who are to receive special treatment. Policies may include age-appropriate differences for schools based on the grade levels at the school. Each such policy shall contain a statement of the consequences of bullying.

4. Each district's antibullying policy shall **be included in the student handbook and shall require, at a minimum, the following components:**

(1) A statement prohibiting bullying, defined no less inclusively than in subsection 2 of this section;

(2) A statement requiring district employees to report any instance of bullying of which the employee has firsthand knowledge[. The district policy shall address training of employees in the requirements of the district policy.], **has reasonable cause to suspect that a student has been subject to bullying, or has received a report of bullying from a student. The policy shall require a district employee who witnesses an incident of bullying or has received reliable information that an incident of bullying has occurred to verbally report the incident to the district's designated individual at the school on the same day the employee witnessed or received the reliable information regarding the incident unless extenuating circumstances prohibit the employee from reporting until the next school day. The policy shall require such a district employee to report an incident of bullying in writing to the district's designated individual at the school within two school days. The policy shall require that the district maintain records of all incidents of bullying and their resolution. The policy shall also contain a description of the format that shall be used for a written report, which shall require, at a minimum, a listing of the offense and the outcome of any investigation;**

(3) A procedure for reporting an act of bullying. The policy shall also include a statement requiring that the district designate an individual at each school in the district to receive verbal reports and written reports of incidents of bullying. Such individual shall be a district employee who is a school principal, school administrator, or school supervisor;

(4) A procedure for prompt investigation of reports of violations and complaints, identifying one or more employees responsible for the investigation including, at a minimum, the following requirements:

(a) Within one school day of a written report of an incident of bullying being received, the school principal, or his or her designee, shall initiate an investigation of the incident;

(b) The school principal may appoint other school staff to assist with the investigation;

(c) The investigation shall be completed within ten school days from the date of the written report;

(5) The range of ways in which a school will respond once an incident of bullying is confirmed;

(6) A statement that prohibits reprisal or retaliation against any person who reports an act of bullying and the consequence and appropriate remedial action for a person who engages in reprisal or retaliation;

(7) A statement of how the policy is to be publicized; and

(8) A process for discussing the district's antibullying policy with students and training school employees and volunteers who have significant contact with students in the requirements of the policy, including at a minimum the following statements:

(a) The school district shall provide information and appropriate training to the school district staff who have significant contact with students regarding the policy;

(b) The school district shall give annual notice of the policy to students, parents or guardians, and staff;

(c) The school district shall provide education and information to students regarding bullying, including information regarding the school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying, including student peer-to-peer initiatives to provide accountability and policy enforcement for those found to have engaged in bullying, reprisal, or retaliation against any person who reports an act of bullying;

(d) The administration of the school district shall instruct its school counselors and school psychologists to educate students who are victims of bullying on techniques for students to overcome bullying's negative effects. Such techniques shall include but not be limited to cultivating the student's self-worth and self-esteem; teaching the student to defend himself or herself assertively and effectively; helping the student develop social skills; and encouraging the student to develop an internal locus of control. The provisions of this paragraph shall not be construed to contradict or limit any other provision of this section; and

(e) The administration of the school district shall implement programs and other initiatives to prevent bullying, to respond to such conduct in a manner that does not stigmatize the victim, and to make resources or referrals available to victims of bullying.

5. Notwithstanding any other provision of law, any school district may subject any student to discipline for cyberbullying. The district shall have jurisdiction to prohibit cyberbullying that originates on a school's campus if the electronic communication was made using the school's technological resources or the electronic communication was made on the school's campus using the student's own personal technological resources. The district shall have jurisdiction to prohibit cyberbullying that originates off the school's campus if:

(1) It was reasonably foreseeable that the electronic communication would reach the school's campus; or

(2) There is a sufficient nexus between the electronic communication and the school which includes, but is not limited to, speech that is directed at a school-specific audience, or the speech was brought onto or accessed on the school campus, even if it was not the student in question who did so.

6. In determining the appropriate disciplinary action for a cyberbullying offense under subsection 5 of this section, the district shall take into consideration the nature of the offense, the age of the student, and the following:

(1) For a first-time or minor cyberbullying offense, the district may mandate that the student attend counseling and education sessions;

(2) For a second or more serious cyberbullying offense, the district may prohibit the student from

participating in school activities or events;

(3) For a serious incident of cyberbullying, the school may suspend or expel the student.

7. Each district shall annually review its antibullying policy and revise it as needed. The district's school board shall receive input from school personnel and administrators when reviewing and revising the policy.

8. Each district shall develop a method to keep track of any correspondence between individuals and the district, or any school in the district, regarding an incident of bullying. Such correspondence shall be a closed record under chapter 610.

9. Each district shall annually report to the department of elementary and secondary education the number of confirmed reported bullying incidents in the district at the school level and the district level, and any action taken in response to an incident of bullying, including but not limited to expulsions and suspensions, for each school in the district. No district shall release any confidential information not authorized by state or federal law for public release. The department of elementary and secondary education shall post this information on its internet website within thirty days of receiving it but shall ensure that no personally identifiable information is posted.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 172, Page 9, Section 161.855, Line 66, by inserting after all of said section and line the following:

“162.720. 1. Where a sufficient number of children are determined to be gifted and their development requires programs or services beyond the level of those ordinarily provided in regular public school programs, districts may establish special programs for such gifted children.

2. The state board of education shall determine standards for such programs. Approval of such programs shall be made by the state department of elementary and secondary education based upon project applications submitted by July fifteenth of each year.

3. No district shall make a determination as to whether a child is gifted based on the child's participation in an advanced placement course or international baccalaureate course. Districts shall only determine a child is gifted if the child meets the definition of “gifted children” as provided in section 162.675.

163.031. 1. The department of elementary and secondary education shall calculate and distribute to each school district qualified to receive state aid under section 163.021 an amount determined by multiplying the district's weighted average daily attendance by the state adequacy target, multiplying this product by the dollar value modifier for the district, and subtracting from this product the district's local effort and, in years not governed under subsection 4 of this section, subtracting payments from the classroom trust fund under section 163.043.

2. Other provisions of law to the contrary notwithstanding:

(1) For districts with an average daily attendance of more than three hundred fifty in the school year preceding the payment year:

(a) For the 2006-07 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of one-third multiplied by the remainder of the dollar value modifier minus one, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(b) For the 2007-08 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of two-thirds multiplied by the remainder of the dollar value modifier minus one, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(c) For the 2008-09 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(d) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (c) of this subdivision, multiplied by the weighted average daily attendance pursuant to section 163.036, less any increase in revenue received from the classroom trust fund under section 163.043;

(2) For districts with an average daily attendance of three hundred fifty or less in the school year preceding the payment year:

(a) For the 2006-07 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of one-third multiplied by the remainder of the dollar value modifier minus one;

(b) For the 2007-08 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of two-thirds multiplied by the remainder of the dollar value modifier minus one;

(c) For the 2008-09 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and

free textbook payment amounts multiplied by the dollar value modifier;

(d) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (c) of this subdivision;

(3) The department of elementary and secondary education shall make an addition in the payment amount specified in subsection 1 of this section to assure compliance with the provisions contained in this subsection.

3. School districts that meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. The categorical add-on for the district shall be the sum of: seventy-five percent of the district allowable transportation costs under section 163.161; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the vocational education entitlement for the district, as provided for in section 167.332; and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699. The categorical add-on revenue amounts may be adjusted to accommodate available appropriations.

4. In the 2006-07 school year and each school year thereafter for five years, those districts entitled to receive state aid under the provisions of subsection 1 of this section shall receive state aid in an amount as provided in this subsection.

(1) For the 2006-07 school year, the amount shall be fifteen percent of the amount of state aid calculated for the district for the 2006-07 school year under the provisions of subsection 1 of this section, plus eighty-five percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(2) For the 2007-08 school year, the amount shall be thirty percent of the amount of state aid calculated for the district for the 2007-08 school year under the provisions of subsection 1 of this section, plus seventy percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(3) For the 2008-09 school year, the amount of state aid shall be forty-four percent of the amount of state aid calculated for the district for the 2008-09 school year under the provisions of subsection 1 of this section plus fifty-six percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(4) For the 2009-10 school year, the amount of state aid shall be fifty-eight percent of the amount of state aid calculated for the district for the 2009-10 school year under the provisions of subsection 1 of this section plus forty-two percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(5) For the 2010-11 school year, the amount of state aid shall be seventy-two percent of the amount of state aid calculated for the district for the 2010-11 school year under the provisions of subsection 1 of this section plus twenty-eight percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share,

and free textbook payments less any amounts received under section 163.043.

(6) For the 2011-12 school year, the amount of state aid shall be eighty-six percent of the amount of state aid calculated for the district for the 2011-12 school year under the provisions of subsection 1 of this section plus fourteen percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(7) (a) [a.] For the 2006-07 school year, if a school district experiences a decrease in summer school average daily attendance of more than twenty percent from the district's 2005-06 summer school average daily attendance, an amount equal to the product of the percent reduction that is in excess of twenty percent of the district's summer school average daily attendance multiplied by the funds generated by the district's summer school program in the 2005-06 school year shall be subtracted from the district's current year payment amount.

[b.] (b) For the 2007-08 school year, if a school district experiences a decrease in summer school average daily attendance of more than thirty percent from the district's 2005-06 summer school average daily attendance, an amount equal to the product of the percent reduction that is in excess of thirty percent of the district's summer school average daily attendance multiplied by the funds generated by the district's summer school program in the 2005-06 school year shall be subtracted from the district's payment amount.

[c.] (c) For the 2008-09 school year, if a school district experiences a decrease in summer school average daily attendance of more than thirty-five percent from the district's 2005-06 summer school average daily attendance, an amount equal to the product of the percent reduction that is in excess of thirty-five percent of the district's summer school average daily attendance multiplied by the funds generated by the district's summer school program in the 2005-06 school year shall be subtracted from the district's payment amount.

[d.] (d) Notwithstanding the provisions of this [paragraph] **subdivision**, no such reduction shall be made in the case of a district that is receiving a payment under section 163.044 or any district whose regular school term average daily attendance for the preceding year was three hundred fifty or less.

[e.] (e) This [paragraph] **subdivision** shall not be construed to permit any reduction applied under this [paragraph] **subdivision** to result in any district receiving a current-year payment that is less than the amount calculated for such district under subsection 2 of this section.

[(b) If a school district experiences a decrease in its gifted program enrollment of more than twenty percent from its 2005-06 gifted program enrollment in any year governed by this subsection, an amount equal to the product of the percent reduction in the district's gifted program enrollment multiplied by the funds generated by the district's gifted program in the 2005-06 school year shall be subtracted from the district's current year payment amount.]

5. For any school district meeting the eligibility criteria for state aid as established in section 163.021, but which is considered an option district under section 163.042 and therefore receives no state aid, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services as provided in section 163.042.

6. (1) No less than seventy-five percent of the state revenue received under the provisions of subsections

1, 2, and 4 of this section shall be placed in the teachers' fund, and the remaining percent of such moneys shall be placed in the incidental fund. No less than seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 shall be placed in the teachers' fund. One hundred percent of revenue received under the provisions of section 163.161 shall be placed in the incidental fund. One hundred percent of revenue received under the provisions of sections 168.500 to 168.515 shall be placed in the teachers' fund.

(2) A school district shall spend for certificated compensation and tuition expenditures each year:

(a) An amount equal to at least seventy-five percent of the state revenue received under the provisions of subsections 1, 2, and 4 of this section;

(b) An amount equal to at least seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 during the preceding school year; and

(c) Beginning in fiscal year 2008, as much as was spent per the second preceding year's weighted average daily attendance for certificated compensation and tuition expenditures the previous year from revenue produced by local and county tax sources in the teachers' fund, plus the amount of the incidental fund to teachers' fund transfer calculated to be local and county tax sources by dividing local and county tax sources in the incidental fund by total revenue in the incidental fund.

In the event a district fails to comply with this provision, the amount by which the district fails to spend funds as provided herein shall be deducted from the district's state revenue received under the provisions of subsections 1, 2, and 4 of this section for the following year, provided that the state board of education may exempt a school district from this provision if the state board of education determines that circumstances warrant such exemption.

7. **(1)** If a school district's annual audit discloses that students were inappropriately identified as eligible for free and reduced lunch, special education, or limited English proficiency and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of aid paid pursuant to the weighting for free and reduced lunch, special education, or limited English proficiency in the weighted average daily attendance on the inappropriately identified pupils be repaid by the district in the next school year and shall additionally impose a penalty of one hundred percent of such aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid.

(2) Beginning in the 2016-2017 school year and in each school year after that, if a district experiences a decrease in its gifted program enrollment of twenty percent or more from the previous school year, an amount equal to the product of the difference between the number of students enrolled in the gifted program in the current school year and the number of students enrolled in the gifted program in the previous school year multiplied by six hundred eighty dollars shall be subtracted from the district's current year payment amount.

8. Notwithstanding any provision of law to the contrary, in any fiscal year during which the total formula appropriation is insufficient to fully fund the entitlement calculation of this section, the department of elementary and secondary education shall adjust the state adequacy target in order to accommodate the appropriation level for the given fiscal year. In no manner shall any payment modification be rendered for any district qualified to receive payments under subsection 2 of this section based on insufficient appropriations."; and

Further amend said bill, Page 30, Section B, by inserting after all of said section the following:

“Section C. Section 163.031 of Section A of this act shall become effective July 1, 2016.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 172, Page 27, Section 170.029, Line 34, by inserting immediately after all of said section and line the following:

“170.350. A school district may develop a policy that allows student participation in the Constitution Project of the Missouri Supreme Court to be recognized by:

(1) The granting of credit for some portion of, or in collaboration with:

(a) The community service or citizenship requirements of the A+ tuition reimbursement program under section 160.545;

(b) The Missouri and United States Constitution course under section 170.011; or

(c) Any relevant course or instructional unit in American government or a similar subject; and

(2) District or school-level awards including, but not limited to, certificates or assemblies.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 172, Page 9, Section 161.855, Line 66, by inserting after all of said section and line the following:

“162.732. 1. There is hereby established a “Committee on Schools for the Severely Disabled” in the department of elementary and secondary education. The committee shall be composed of the following five members:

(1) One member who is an employee of the department of elementary and secondary education, appointed by the commissioner of education;

(2) One member from the house of representatives, appointed by the speaker of the house of representatives;

(3) One member from the senate, appointed by the president pro tem of the senate;

(4) One member from the joint committee on education, appointed by the chair of the joint committee on education; and

(5) One member who is on the staff of the Missouri schools for the severely disabled established under section 162.730, appointed by the commissioner of education.

2. The committee on schools for the severely disabled shall:

(1) Examine the regulations under which the schools for the severely disabled established under section 162.730 operate; and

(2) Recommend any changes to the regulations that would allow the schools for the severely

disabled to better serve the children of the schools.

3. Before December 1, 2015, the committee on schools for the severely disabled shall report its findings and recommendations to the house committee on elementary and secondary education. Such recommendations shall include the recommendations described under subdivision (2) of subsection 2 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 172, Page 27, Section 170.029, Line 34, by inserting after all of said line the following:

“170.047. 1. Beginning in the 2016-2017 school year, any licensed educator may annually complete up to two hours of training or professional development in youth suicide awareness and prevention as part of the professional development hours required for state board of education certification.

2. The department of elementary and secondary education shall develop guidelines suitable for training or professional development in youth suicide awareness and prevention. The department shall develop materials that may be used for such training or professional development.

3. For purposes of this section, the term “licensed educator” means any teacher with a certificate of license to teach issued by the state board of education or any other educator or administrator required to maintain a professional license issued by the state board of education.

4. The department of elementary and secondary education may promulgate rules and regulations to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.

170.048. 1. By July 1, 2017, each district shall adopt a policy for youth suicide awareness and prevention, including the training and education of district employees.

2. Each district’s policy shall address, but need not be limited to, the following:

- (1) Strategies that can help identify students who are at possible risk of suicide;**
- (2) Strategies and protocols for helping students at possible risk of suicide; and**
- (3) Protocols for responding to a suicide death.**

3. By July 1, 2016, the department of elementary and secondary education shall develop a model policy that districts may adopt. When developing the model policy, the department shall cooperate, consult with, and seek input from organizations that have expertise in youth suicide awareness and prevention. By July 1, 2020, and at least every three years thereafter, the department shall request information and seek feedback from districts on their experience with the policy for youth suicide

awareness and prevention. The department shall review this information and may use it to change the department's model policy. The department shall post any information on its website that it has received from districts that it deems relevant. The department shall not post any confidential information or any information that personally identifies any student or school employee.”; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after all of said line the following:

“160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, “need to know” is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase “act of school violence” or “violent behavior” means the exertion of physical force by a student with the intent to do serious physical injury as defined in section 556.061 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110 as it existed prior to January 1, 2017, or kidnapping in the first degree under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Rape in the first degree under section 566.030;
- (6) Sodomy in the first degree under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020 as it existed prior to January 1, 2017, or robbery in the first degree under section 570.023;
- (10) Distribution of drugs under section 195.211 as it existed prior to January 1, 2017, or manufacture

of a controlled substance under section 579.055;

(11) Distribution of drugs to a minor under section 195.212 as it existed prior to January 1, 2017, or delivery of a controlled substance under section 579.020;

(12) Arson in the first degree under section 569.040;

(13) Voluntary manslaughter under section 565.023;

(14) Involuntary manslaughter under section 565.024 as it existed prior to January 1, 2017, involuntary manslaughter in the first degree under section 565.024, or involuntary manslaughter in the second degree under section 565.027;

(15) Second degree assault under section 565.060 as it existed prior to January 1, 2017, or second degree assault under section 565.052;

(16) Rape in the second degree under section 566.031;

(17) Felonious restraint under section 565.120 as it existed prior to January 1, 2017, or kidnapping in the second degree under section 565.120;

(18) Property damage in the first degree under section 569.100;

(19) The possession of a weapon under chapter 571;

(20) Child molestation in the first degree pursuant to section 566.067 as it existed prior to January 1, 2017, or child molestation in the first, second, or third degree pursuant to section 566.067, 566.068, or 566.069;

(21) Sodomy in the second degree pursuant to section 566.061;

(22) Sexual misconduct involving a child pursuant to section 566.083;

(23) Sexual abuse in the first degree pursuant to section 566.100;

(24) Harassment under section 565.090 as it existed prior to January 1, 2017, or harassment in the first degree under section 565.090; [or]

(25) Stalking under section 565.225 as it existed prior to January 1, 2017, or stalking in the first degree under section 565.225; **or**

(26) Making a terrorist threat under section 574.115;

committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in

subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

(1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;

(2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;

(3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or

(4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. Section 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed

to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. “Acts of violence” as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district’s discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education’s written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children’s division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children’s division under section 210.115, such person and the superintendent of the school district shall report the allegation to the children’s division as set forth in section 210.115. Reports made to the children’s division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for

purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the law enforcement in the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the law enforcement officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by a law enforcement officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The law enforcement officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The law enforcement officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The law enforcement officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The law enforcement officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.

160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or

“violent behavior” means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

- (1) First degree murder under section 565.020;
- (2) Second degree murder under section 565.021;
- (3) Kidnapping under section 565.110;
- (4) First degree assault under section 565.050;
- (5) Rape in the first degree under section 566.030;
- (6) Sodomy in the first degree under section 566.060;
- (7) Burglary in the first degree under section 569.160;
- (8) Burglary in the second degree under section 569.170;
- (9) Robbery in the first degree under section 569.020;
- (10) Distribution of drugs under section 195.211;
- (11) Distribution of drugs to a minor under section 195.212;
- (12) Arson in the first degree under section 569.040;
- (13) Voluntary manslaughter under section 565.023;
- (14) Involuntary manslaughter under section 565.024;
- (15) Second degree assault under section 565.060;
- (16) Rape in the second degree under section 566.031;
- (17) Felonious restraint under section 565.120;
- (18) Property damage in the first degree under section 569.100;
- (19) The possession of a weapon under chapter 571;
- (20) Child molestation in the first degree pursuant to section 566.067;
- (21) Sodomy in the second degree pursuant to section 566.061;
- (22) Sexual misconduct involving a child pursuant to section 566.083;
- (23) Sexual abuse in the first degree pursuant to section 566.100;
- (24) Harassment under section 565.090; [or]
- (25) Stalking under section 565.225; **or**
- (26) **Making a terrorist threat under section 574.115;**

committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

(1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;

(2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;

(3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or

(4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term “weapon” shall mean a firearm as defined under 18 U.S.C. Section 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. “Acts of violence” as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district’s discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education’s written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children’s division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in

a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall report the allegation to the children's division as set forth in section 210.115. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the law enforcement in the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the law enforcement officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by a law enforcement officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The law enforcement officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The law enforcement officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The law enforcement officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The law enforcement officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or law enforcement officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 172, Page 9, Section 161.855, Line 66, by inserting immediately after said line the following:

“161.1005. 1. By July 1, 2016, the department shall employ a dyslexia therapist, licensed

psychometrist, licensed speech-language pathologist, certified academic language therapist, or certified training specialist to serve as the department's dyslexia specialist. Such dyslexia specialist shall have a minimum of three years of field experience in screening, identifying, and treating dyslexia and related disorders.

2. The department shall ensure that the dyslexia specialist has completed training and received certification from a program approved by the legislative task force on dyslexia and is able to provide necessary information and support to school district teachers.

3. The dyslexia specialist shall:

(1) Be highly trained in dyslexia and related disorders, including best practice interventions and treatment models;

(2) Be responsible for the implementation of professional development; and

(3) Serve as the primary source of information and support for districts addressing the needs of students with dyslexia and related disorders.

4. In addition to other duties assigned under subsection 3 of this section, the dyslexia specialist shall also assist the department with developing and administering professional development programs to be made available to school districts no later than the 2016-17 school year. The programs shall focus on educating teachers regarding the indicators of dyslexia, the science surrounding teaching a student who is dyslexic, and classroom accommodations necessary for a student with dyslexia.”; and

Further amend said substitute, Page 30, Section 178.550, Line 87, by inserting after all of said line the following:

“633.420. 1. For the purposes of this section, the term “dyslexia” means a disorder that is neurological in origin, characterized by difficulties with accurate and fluent word recognition, and poor spelling and decoding abilities that typically result from a deficit in the phonological component of language, often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and of which secondary consequences may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge. Nothing in this section shall prohibit a district from assessing students for dyslexia and offering students specialized reading instruction if a determination is made that a student suffers from dyslexia. Unless required by federal law, nothing in this definition shall require a student with dyslexia to be automatically determined eligible as a student with a disability.

2. There is hereby created the “Legislative Task Force on Dyslexia”. The joint committee on education shall provide technical and administrative support as required by the task force to fulfill its duties. The task force shall meet at least quarterly and may hold meetings by telephone or video conference. The task force shall advise and make recommendations to the governor, general assembly, and relevant state agencies regarding matters concerning individuals with dyslexia including education and other adult and adolescent services.

3. The task force shall be comprised of eighteen members consisting of the following:

(1) Four members of the general assembly, with two members from the senate to be appointed by

the president pro tempore and two members from the house of representatives to be appointed by the speaker of the house of representatives;

(2) The commissioner of education, or his or her designee;

(3) One representative from an institution of higher education located in this state with specialized expertise in dyslexia and reading instruction;

(4) A representative from a state teachers association or the Missouri National Education Association;

(5) A representative from the International Dyslexia Association of Missouri;

(6) A representative from Decoding Dyslexia of Missouri;

(7) A representative from the Missouri Association of Elementary School Principals;

(8) A representative from the Missouri Council of Administrators of Special Education;

(9) A professional licensed in the state of Missouri with experience diagnosing dyslexia including, but not limited to, a licensed psychologist, school psychologist, or neuropsychologist;

(10) A speech-language pathologist with training and experience in early literacy development and effective research-based intervention techniques for dyslexia, including an Orton-Gillingham remediation program recommended by the Missouri Speech-Language Hearing Association, or a certified academic language therapist recommended by the Academic Language Therapists Association who is a resident of this state;

(11) A representative from an independent private provider or nonprofit organization serving individuals with dyslexia;

(12) An assistive technology specialist with expertise in accessible print materials and assistive technology used by individuals with dyslexia recommended by the Missouri assistive technology council;

(13) One private citizen who has a child who has been diagnosed with dyslexia;

(14) One private citizen who has been diagnosed with dyslexia; and

(15) A representative of the Missouri State Council of the International Reading Association.

4. The members of the task force, other than the members from the general assembly and ex officio members, shall be appointed by the president pro tempore of the senate or the speaker of the house of representatives by September 1, 2015, by alternating appointments beginning with the president pro tempore of the senate. A chairperson shall be selected by the members of the task force. Any vacancy on the task force shall be filled in the same manner as the original appointment. Members shall serve on the task force without compensation.

5. The task force shall make recommendations for a statewide system for identification, intervention, and delivery of supports for students with dyslexia including the development of resource materials and professional development activities. These recommendations shall be included in a report to the governor and legislature and shall include findings and proposed legislation and

shall be made available no longer than twelve months from the task force's first meeting.

6. The recommendations and resource materials developed by the task force shall:

(1) Identify valid and reliable screening and evaluation assessments and protocols that can be used and the appropriate personnel to administer such assessments in order to identify children with dyslexia or the characteristics of dyslexia as part of an ongoing reading progress monitoring system, multi-tiered system of supports, and special education eligibility determinations in schools;

(2) Recommend an evidence-based reading instruction, with consideration of the National Reading Panel Report and Orton-Gillingham methodology principles for use in all Missouri schools, and intervention system, including a list of effective dyslexia intervention programs, to address dyslexia or characteristics of dyslexia for use by schools in multi-tiered systems of support and for services as appropriate for special education eligible students;

(3) Develop and implement preservice and inservice professional development activities to address dyslexia identification and intervention, including utilization of accessible print materials and assistive technology, within degree programs such as education, reading, special education, speech-language pathology, and psychology;

(4) Review teacher certification and professional development requirements as they relate to the needs of students with dyslexia;

(5) Examine the barriers to accurate information on the prevalence of students with dyslexia across the state and recommend a process for accurate reporting of demographic data; and

(6) Study and evaluate current practices for diagnosing, treating, and educating children in this state and examine how current laws and regulations affect students with dyslexia in order to present recommendations to the governor and general assembly.

7. The task force shall hire or contract for hire specialist services to support the work of the task force as necessary with appropriations made by the general assembly for that purpose or from other available funding.

8. The task force authorized under this section shall automatically sunset on August 31, 2017, unless reauthorized by an act of the general assembly.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 172, Page 9, Section 161.855, Line 66, by inserting immediately after said line the following:

“161.1010. 1. There is hereby established the “Missouri Course Access Program” to allow public school students to enroll in online, blended, and face-to-face courses to supplement coursework offered at the school where the student is enrolled. The Missouri course access program is separate and distinct from the virtual online school program established under section 161.670 and shall not be considered part of the virtual online school program for any purpose.

2. For purposes of sections 161.1010 to 161.1020, the following terms mean:

(1) “Course provider”, an entity authorized by the department of elementary and secondary education to offer individual courses in person, online, or a combination of the two, including but not limited to online education providers, public or private elementary and secondary education institutions, education service agencies, private for profit or not-for-profit providers, postsecondary education institutions, and vocational or technical course providers;

(2) “Department”, the department of elementary and secondary education;

(3) “Eligible funded student”, any eligible participating student who is currently enrolled in a public school, including a public charter school, and who was previously enrolled in such school for at least one full school year;

(4) “Eligible participating student”, any K-12 student who resides in the state;

(5) “Local education agency”, a public authority legally constituted by the state as an administrative agency to provide control and direction for kindergarten through twelfth grade public educational institutions, including public charter schools;

(6) “State course access catalog”, the website developed for the department of elementary and secondary education that provides a listing of all courses authorized and available to students in the state, detailed information about the courses to inform student enrollment decisions, and the ability for students to submit their course enrollments;

(7) “State course access program” or “program”, the program created under sections 161.1010 to 161.1020.

161.1011. 1. Any eligible participating student may enroll in state course access program courses with the approval of such student’s guidance counselor, as provided under subsection 3 of this section. An eligible funded student may enroll in state course access program courses that are funded by the program up to a maximum of seven credit hours per semester.

2. The families of eligible funded students and other eligible participating students may pay to enroll in state course access program courses above the maximum seven-credit hour limit specified in subsection 1 of this section.

3. Prior to enrolling in any state course access program course, a student shall first receive approval from his or her guidance counselor. Guidance counselors shall approve or disapprove a student’s request to enroll based on the counselor’s assessment of whether participation in the program and enrollment in a particular course is in the student’s best interest. The department shall develop a procedure under which a student may appeal the decision of a guidance counselor made under the provisions of this section.

4. The local education agency where eligible funded students are enrolled full time may review enrollment requests to ensure courses are academically appropriate, logistically feasible, keep the student on track for an on-time graduation, and do not extend a student beyond a full-time course load. The local education agency may only reject enrollment requests for those reasons.

5. Local education agencies shall inform students and families of their right to appeal any enrollment denials in state course access program courses to the department, which shall provide a final enrollment decision within seven calendar days.

161.1012. 1. The department shall:

(1) Establish an authorization process for course providers that includes multiple opportunities for submission each year;

(2) Not later than ninety calendar days from initial submission date, authorize course providers that:

(a) Meet the criteria established under section 161.1013; and

(b) Provide courses which offer the instructional rigor and scope required under section 161.1013; and

(3) Not later than ninety calendar days from initial submission date, provide a written explanation to any course providers that are denied.

2. If a course provider is denied authorization, the provider may reapply in the future.

3. The department shall publish the process established under this section, including any deadlines and any guidelines applicable to the submission and authorization process for providers.

4. If the department determines that there are insufficient funds available for evaluating and authorizing course providers, the department may charge applicant providers a fee up to but no greater than the amount of the costs in order to ensure that evaluation occurs. The department shall establish and publish a fee schedule for purposes of this subsection.

161.1013. 1. To be authorized to offer a course through the state course access program, a provider shall:

(1) Comply with all applicable anti-discrimination provisions as well as applicable state and federal student data privacy provisions such as the Family Educational Rights and Privacy Act (FERPA);

(2) Provide an assurance that all online information and resources for online or blended courses are fully accessible for students of all abilities, including that:

(a) All of the courses submitted for approval are reviewed to ensure they meet legal accessibility standards;

(b) The provider has created and promulgated an Accessibility Online Learning Policy;

(c) The provider has designated an ADA Coordinator, a grievance policy, and annual notifications;

(d) The provider has policies and activities to ensure their organizational and course websites meet accessibility requirements; and

(e) The provider has no gateway exam or test where a specific score is required to participate in course access program courses beyond completion of prerequisite coursework or demonstrated mastery of prerequisite material;

(3) Demonstrate either:

(a) Prior evidence of delivering quality outcomes for students as demonstrated by completion

rates, student level growth, proficiency, or other quantifiable outcomes; or

(b) For course providers applying to offer a subject or grade level for the first time, provide a detailed justification, in a manner determined by the department, of how their organization's subject matter, instructional, or technical expertise will lead to successful outcomes for students;

(4) Ensure instructional and curricular quality through a detailed curriculum and student performance accountability plan that aligns with, and measures student attainment of, relevant state academic standards or other relevant standards in courses without state academic standards;

(5) Provide assurances that the course provider shall electronically provide, in a manner and format determined by the department, a detailed student record of enrollment, performance, completion, and grading information with the school systems where eligible participating students are enrolled full time.

2. Additional criteria developed by the department shall be used to evaluate providers and may include nationally recognized third-party quality standards.

161.1014. 1. The department shall establish a course review and approval process. The process may be implemented by the department or by an entity designated by the department.

2. In order to be approved and added to the state course access catalog, a course shall:

(1) Be, at a minimum, the equivalent in instructional rigor and scope to a course that is provided in a traditional classroom setting;

(2) Be aligned to relevant state academic standards or industry standards;

(3) Possess an assessment component for determining student proficiency, as well as student growth where applicable; and

(4) Be designed and implemented consistently with criteria established by the department and nationally recognized third-party quality standards.

3. The department may negotiate changes in the proposal to offer a course, if the department determines that changes are necessary in order to authorize the course.

161.1015. 1. The initial authorization of the course provider and approved courses shall be for a period of three years.

2. Providers shall annually report, in such a manner as directed by the department:

(1) Student enrollment data;

(2) Student outcomes, growth measures when available, proficiency rates, and completion rates for each subject area and grade level; and

(3) Student and parental feedback on overall satisfaction and quality, including availability of support from teachers, and their comments.

3. After the second year of the initial authorization period, the department shall conduct a thorough review of the course provider's activities and the academic performance of the students enrolled in courses offered by the course provider.

4. If the performance of the students enrolled in courses offered by the course provider does not meet agreed upon performance standards at any time, the course provider shall be placed on probation and required to submit a plan for improvement to the department. The department shall establish terms of probation and develop specific criteria the provider must meet in order to return to good standing. Course providers shall be given at least sixty days to meet the terms of probation. Determinations as to whether the provider has met the conditions of probation shall be at the sole discretion of the department. If the department determines that the provider has failed to meet the conditions of probation within the time frame established by the department, the department may terminate the provider's status. Course providers who are terminated by the department under the provisions of this subsection shall be ineligible for reinstatement as a course provider for two years from the time the provider's status was revoked.

5. After the initial three-year authorization period, the department may reauthorize the course provider for additional periods of not less than three years after thorough review of the course provider's activities and the achievement of students enrolled in courses offered by the course provider.

6. The department may exclude a course provided by an authorized provider at any time if the department determines that:

- (1) The course is no longer adequately aligned with the state academic standards;**
- (2) The course no longer provides a detailed and quality curriculum and accountability plan; or**
- (3) The course fails to deliver outcomes as measured by course completion or student outcomes and performance on state or nationally accepted assessments.**

161.1016. The department may enter into a reciprocity agreement with other states for the purpose of authorizing and approving high quality providers and courses for the state course access program and the operation of the state course access catalog.

161.1017. 1. The department shall:

(1) Publish the criteria required by section 161.1013 for courses that may be offered through the state course access program;

(2) Be responsible for creating the state course access catalog; the department may enter into an agreement with other states or organizations to develop or operate one or more aspects of the state course access catalog and state course access program;

(3) Publish a link to the state course access catalog in a prominent location on the department's website, which includes a listing of courses offered by authorized providers available through the state course access program, a detailed description of the courses, and any available student completion and outcome data; and

(4) Establish and publish a time frame or specific dates by which students are able to withdraw from a course provided through the state course access program without the student, local education agency, or course provider incurring a penalty.

2. The department shall maintain on its official website in a prominent location an informed

choice report. Each report under this section shall:

- (1) Be updated within thirty calendar days of additional provider authorizations;
- (2) Describe each course offered through the state course access program and include information such as course requirements and the school year calendar for the course, including any options for continued participation outside of the standard school year calendar;
- (3) Include student and parental comments and feedback as detailed under section 161.1014; and
- (4) Be published online in an open format that can be retrieved, downloaded, indexed, and searched by commonly used web search applications.

3. The department shall submit an annual report on the state course access program and the participation of entities to the governor, and the chairperson and vice-chairperson of the joint committee on education. The report shall at a minimum include the following information:

- (1) The annual number of unique students participating in courses authorized under sections 161.1010 to 161.1020 and the total number of courses students are enrolled in;
- (2) The number of authorized providers;
- (3) The number of authorized courses and the number of students enrolled in each course;
- (4) The number of courses available by subject and grade level;
- (5) The number of students enrolled in courses by subject and grade level;
- (6) Student outcome data, including completion rates, student learning gains, student performance on state or nationally accepted assessments, by subject and grade level by provider. This outcome data should be published in a manner that protects student privacy; and
- (7) The department shall note any data that is not yet available at the time of publication and when it will become available, and include that data in future reports.

4. The report and underlying data shall be published online in an open format that can be retrieved, downloaded, indexed, and searched by commonly used web search applications.

5. For purposes of this section, an “open format” is one that is platform independent, machine readable, and made available to the public without restrictions that would impede the reuse of that information.

161.1018. 1. A school district or charter school shall:

- (1) Notify students and parents as part of any course enrollment period or process of the availability of state course access program courses in correspondence that is written in simple and accurate language;
- (2) Provide information by letter or email to students and parents at home and by at least two other means, such as community flyers, newspaper postings, on student report cards, or other methods;
- (3) Publish information and eligibility guidelines on the school and school district’s websites.

2. Each local school system shall establish policies and procedures whereby, for each eligible participating student as identified in section 161.1011, the following shall apply:

(1) Credits earned through the course provider shall appear on each student's official transcript and count fully towards the requirements of any approved state diploma; and

(2) Coordinate with course providers to ensure that required state assessments are administered to each such student attending a public school.

3. The performance data of students who are enrolled in a course under sections 161.1010 to 161.1020 and in accordance with subsection 1 of this section shall be counted in the school performance score for the school in which the student is enrolled full time.

4. Nothing in sections 161.1010 to 161.1020 shall be construed to prevent a school entity from establishing its own online course or program in accordance with sections 161.1010 to 161.1020.

5. The department shall adopt rules necessary to implement sections 161.1010 to 161.1020, including but not limited to the requirements of school governing authorities or local school systems whose students enroll in courses offered by authorized course providers. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.

161.1019. 1. Per-course tuition shall be determined as follows:

(1) The course provider shall receive per-course tuition for each eligible funded student at a fair and reasonable rate negotiated by the department and the course provider that is inclusive of all required course materials. Determinations of course prices may take into account prices for similar levels of service in other jurisdictions. Funding for courses in which students are enrolled shall be made by the department to the local education agency where the student is enrolled full time; within ninety days of receiving funding from the department, the local education agency shall remit appropriate payment to the authorized course provider;

(2) The course provider shall receive payment from the local education agency only for the courses in which an eligible funded student is enrolled; the remaining funds received from the department by the local education agency shall remain with the local education agency in which the student is enrolled full time;

(3) The course provider shall accept the amount specified in subdivision (1) of this subsection as total tuition and fees for the eligible funded student;

(4) The course provider may charge tuition to any eligible participating student up to an amount determined by the course provider and department. An eligible participating student who is not an eligible funded student shall pay any such tuition and shall not receive any state funding for participation in state course access program courses.

2. Payment of tuition to course providers shall be based upon student success and made as follows:

(1) Fifty percent of the amount of tuition to be paid or transferred to the course provider shall be transferred upon student enrollment in a course and fifty percent shall be dependent upon student success in the course. Student success may initially be measured based on course completion, but the department shall create new measures of student success by Year 3 for use in courses where externally validated measures are available. These measures of student outcomes, based on either proficiency or growth, shall include results from independent end-of-course exams, advanced placement exams, receipt of industry recognized credentials, receipt of credit from institutions of higher education, or other externally validated measures;

(2) Partial payments for delayed completions shall be determined as follows: if a student does not successfully complete a course according to the published course length in which the course provider has received the first payment under subsection 1 of this section, the provider shall receive twenty percent of the tuition that is dependent upon student success as defined in subsection 1 of this section only if the student completes and receives credit for the course within one additional semester. At that point, remaining tuition shall be returned to the local education agency where a student is enrolled full time or to the eligible participating student if such student paid the tuition under subdivision (4) of subsection 1 of this section.

161.1020. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under sections 161.1010 to 161.1020 shall automatically sunset six years after the effective date of sections 161.1010 to 161.1020 unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under sections 161.1010 to 161.1020 shall automatically sunset twelve years after the effective date of the reauthorization of sections 161.1010 to 161.1020; and

(3) Sections 161.1010 to 161.1020 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 161.1010 to 161.1020 is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 244**, entitled:

An Act to amend chapter 409, RSMo, by adding thereto seven new sections relating to the financial exploitation of certain elderly and disabled individuals.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **HB 565**, entitled:

An Act to amend chapter 161, RSMo, by adding thereto eleven new sections relating to the establishment of the Missouri course access program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 115**, entitled:

An Act to repeal sections 94.902, 99.845, 137.076, 143.221, 143.801, 144.049, and 205.205, RSMo, and to enact in lieu thereof eight new sections relating to taxation.

With House Amendment Nos. 1, 3, 4, 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended, House Amendment Nos. 7, 8, 9, House Amendment No. 1 to House Amendment No. 10, House Amendment No. 10, as amended, House Amendment Nos. 11 and 12.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“65.620. 1. Whenever any county abolishes township organization the county treasurer and ex officio collector shall immediately settle his accounts as treasurer with the county commission and shall thereafter perform all duties, exercise all powers, have all rights and be subject to all liabilities imposed and conferred upon the county collector of revenue under chapter 52 until the first Monday in March after the general election next following the abolishment of township organization and until a collector of revenue for the county is elected and qualified. The person elected collector at the general election as aforesaid, if that election is not one for collector of revenue under chapter 52, shall serve until the first Monday in March following the election and qualification of a collector of revenue under chapter 52. Upon abolition of township organization a county treasurer shall be appointed to serve until the expiration of the term of such officer pursuant to chapter 54.

2. Upon abolition of township organization, title to all property of all kinds theretofore owned by the several townships of the county shall vest in the county and the county shall be liable for all outstanding obligations and liabilities of the several townships.

3. The terms of office of all township officers shall expire on the abolition of township organization and the township trustee of each township shall immediately settle his accounts with the county clerk and all township officers shall promptly deliver to the appropriate county officers, as directed by the county commission, all books, papers, records and property pertaining to their offices.

4. For a period of one calendar year following the abolition of the townships or until the voters of the county have approved a tax levy for road and bridge purposes, whichever occurs first, the county collector shall continue to collect a property tax on a county-wide basis in an amount equal to the tax levied by the township that had the lowest total tax rate in the county immediately prior to the abolishment of the townships. The continued collection of the tax shall be considered a

continuation of an existing tax and shall not be considered a new tax levy.”; and

Further amend said bill, Page 21, Section 205.205, Line 68, by inserting after all of said section and line the following:

“Section B. Because of the need to provide a funding source to ensure the proper maintenance of roads and bridges in certain counties of this state, section 65.620 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 65.620 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 15, Section 99.845, Line 311, by inserting immediately after said line the following:

“137.016. 1. As used in section 4(b) of article X of the Missouri Constitution, the following terms mean:

(1) “Residential property”, all real property improved by a structure which is used or intended to be used for residential living by human occupants, vacant land in connection with an airport, land used as a golf course, manufactured home parks, **bed and breakfast inns in which the owner resides and uses as a primary residence with four or fewer rooms for rent**, and time-share units as defined in section 407.600, except to the extent such units are actually rented and subject to sales tax under subdivision (6) of subsection 1 of section 144.020, but residential property shall not include other similar facilities used primarily for transient housing. For the purposes of this section, “transient housing” means all rooms available for rent or lease for which the receipts from the rent or lease of such rooms are subject to state sales tax pursuant to subdivision (6) of subsection 1 of section 144.020;

(2) “Agricultural and horticultural property”, all real property used for agricultural purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding and management of livestock which shall include breeding, showing, and boarding of horses; to dairying, or to any other combination thereof; and buildings and structures customarily associated with farming, agricultural, and horticultural uses. Agricultural and horticultural property shall also include land devoted to and qualifying for payments or other compensation under a soil conservation or agricultural assistance program under an agreement with an agency of the federal government. Agricultural and horticultural property shall further include land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the National Plan of Integrated Airports System, to receive federal airport improvement project funds through the Federal Aviation Administration. Real property classified as forest croplands shall not be agricultural or horticultural property so long as it is classified as forest croplands and shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution. Agricultural and horticultural property shall also include any sawmill or planing mill defined in the U.S. Department of Labor’s Standard Industrial Classification (SIC) Manual under Industry Group 242 with the SIC number 2421;

(3) “Utility, industrial, commercial, railroad and other real property”, all real property used directly or indirectly for any commercial, mining, industrial, manufacturing, trade, professional, business, or similar purpose, including all property centrally assessed by the state tax commission but shall not include floating

docks, portions of which are separately owned and the remainder of which is designated for common ownership and in which no one person or business entity owns more than five individual units. All other real property not included in the property listed in subclasses (1) and (2) of section 4(b) of article X of the Missouri Constitution, as such property is defined in this section, shall be deemed to be included in the term “utility, industrial, commercial, railroad and other real property”.

2. Pursuant to article X of the state constitution, any taxing district may adjust its operating levy to recoup any loss of property tax revenue, except revenues from the surtax imposed pursuant to article X, subsection 2 of section 6 of the constitution, as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units if such adjustment of the levy does not exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this section, loss in revenue shall include the difference between the revenue that would have been collected on such property under its classification prior to enactment of this section and the amount to be collected under its classification under this section. The county assessor of each county or city not within a county shall provide information to each taxing district within its boundaries regarding the difference in assessed valuation of such property as the result of such change in classification.

3. All reclassification of property as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units shall apply to assessments made after December 31, 1994.

4. Where real property is used or held for use for more than one purpose and such uses result in different classifications, the county assessor shall allocate to each classification the percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section.

5. All real property which is vacant, unused, or held for future use; which is used for a private club, a not-for-profit or other nonexempt lodge, club, business, trade, service organization, or similar entity; or for which a determination as to its classification cannot be made under the definitions set out in subsection 1 of this section, shall be classified according to its immediate most suitable economic use, which use shall be determined after consideration of:

(1) Immediate prior use, if any, of such property;

(2) Location of such property;

(3) Zoning classification of such property; except that, such zoning classification shall not be considered conclusive if, upon consideration of all factors, it is determined that such zoning classification does not reflect the immediate most suitable economic use of the property;

(4) Other legal restrictions on the use of such property;

(5) Availability of water, electricity, gas, sewers, street lighting, and other public services for such property;

(6) Size of such property;

(7) Access of such property to public thoroughfares; and

(8) Any other factors relevant to a determination of the immediate most suitable economic use of such property.

6. All lands classified as forest croplands shall not, for taxation purposes, be classified as subclass (1), subclass (2), or subclass (3) real property, as such classes are prescribed in section 4(b) of article X of the Missouri Constitution and defined in this section, but shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution.”; and

Further amend said bill, page 18, section 143.801, line 74, by inserting immediately after said line the following:

“144.020. 1. A tax is hereby levied and imposed for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be titled under the laws of the state of Missouri and, except as provided in subdivision (9) of this subsection, upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of this subsection, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, games and athletic events;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place which rooms, meals or drinks are regularly served to the public. **The provisions of this subdivision shall not apply to bed and breakfast inns in which the owner resides and uses as a primary residence with four or fewer rooms for rent;**

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are

licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of “sale at retail” or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof;

(9) A tax equivalent to four percent of the purchase price, as defined in section 144.070, of new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. This tax is imposed on the person titling such property, and shall be paid according to the procedures in section 144.440.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words “This ticket is subject to a sales tax.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 15, Section 137.076, Line 15, by inserting immediately after said line the following:

“143.161. 1. For all taxable years beginning after December 31, 1997, a resident may deduct one thousand two hundred dollars for each dependent for whom such resident is entitled to a dependency exemption deduction for federal income tax purposes. In the case of a dependent who has attained sixty-five years of age on or before the last day of the taxable year, if such dependent resides in the taxpayer’s home or the dependent’s own home or if such dependent does not receive Medicaid or state funding while residing in a facility licensed pursuant to chapter 198, the taxpayer may deduct an additional one thousand dollars.

2. [For all taxable years beginning before January 1, 1999, a resident who qualifies as an unmarried head of household or as a surviving spouse for federal income tax purposes may deduct an additional eight hundred dollars.] For all taxable years beginning on or after January 1, 1999, a resident who qualifies as an unmarried head of household or as a surviving spouse for federal income tax purposes may deduct an additional one thousand four hundred dollars.

3. For all taxable years beginning on or after January 1, 2015, for each birth for which a certificate of birth resulting in stillbirth has been issued under section 193.165, a taxpayer may claim the exemption under subsection 1 of this section only in the taxable year in which the stillbirth

occurred, if the child otherwise would have been a member of the taxpayer's household.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 15, Section 99.845, Line 311, by inserting after all of said line the following:

“105.145. 1. The following definitions shall be applied to the terms used in this section:

(1) “Governing body”, the board, body, or persons in which the powers of a political subdivision as a body corporate, or otherwise, are vested;

(2) “Political subdivision”, any agency or unit of this state, except counties and school districts, which now is, or hereafter shall be, authorized to levy taxes or empowered to cause taxes to be levied.

2. The governing body of each political subdivision in the state shall cause to be prepared an annual report of the financial transactions of the political subdivision in such summary form as the state auditor shall prescribe by rule, except that the annual report of political subdivisions whose cash receipts for the reporting period are ten thousand dollars or less shall only be required to contain the cash balance at the beginning of the reporting period, a summary of cash receipts, a summary of cash disbursements and the cash balance at the end of the reporting period.

3. Within such time following the end of the fiscal year as the state auditor shall prescribe by rule, the governing body of each political subdivision shall cause a copy of the annual financial report to be remitted to the state auditor.

4. The state auditor shall immediately on receipt of each financial report acknowledge the receipt of the report.

5. In any fiscal year no member of the governing body of any political subdivision of the state shall receive any compensation or payment of expenses after the end of the time within which the financial statement of the political subdivision is required to be filed with the state auditor and until such time as the notice from the state auditor of the filing of the annual financial report for the fiscal year has been received.

6. The state auditor shall prepare sample forms for financial reports and shall mail the same to the political subdivisions of the state. Failure of the auditor to supply such forms shall not in any way excuse any person from the performance of any duty imposed by this section.

7. All reports or financial statements hereinabove mentioned shall be considered to be public records.

8. The provisions of this section apply to the board of directors of every transportation development district organized under sections 238.200 to 238.275. Any transportation development district that fails to timely submit a copy of the annual financial statement to the state auditor shall be subject to a fine not to exceed five hundred dollars per day. **The state auditor shall report any violation to the department of revenue. The department of revenue may collect the fine authorized under the provisions of this subsection by offsetting any sales tax distributions through any means permitted under law for the collection of taxes. Any fine collected shall be reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue. The director of revenue shall retain two percent for the cost of such collection. The remaining revenues collected**

from such violations shall be distributed annually to the schools of the county in the same manner that proceeds for all penalties, forfeitures, and fines collected for any breach of the penal laws of the state are distributed.

9. Upon notification from the state auditor's office that a transportation development district failed to timely submit a copy of the annual financial statement, the department of revenue shall notify such district by certified mail that the statement has not been received and that the district may be subject to a fine not to exceed five hundred dollars per day. Such notice shall clearly set forth the name of the district, the accrued amount of the fine, the district's opportunity to give written application for a hearing, by the administrative hearing commission, to contest the fine within thirty days of the date of receipt of the notice and that failure to either apply for such a hearing, in writing, or to submit the required annual financial statement within the thirty-day period will be deemed a waiver of the opportunity to contest the fine and the fine will be enforced and collected as provided in subsection 8 of this section. In the event a copy of the annual financial statement is received within such thirty-day period, no fine shall accrue or be imposed. Failure of the district to make application for a hearing or to submit the required annual financial statement timely shall cause the fine to be collected as provided for in subsection 8 of this section.

10. Any transportation development district organized under sections 238.200 to 238.275 having gross revenues of less than one thousand dollars annually shall not be subject to the fine authorized in subsection 8 of this section.”; and

Further amend said bill, Page 21, Section 205.205, Line 68, by inserting after all of said line the following:

“238.222. 1. The board shall possess and exercise all of the district's legislative and executive powers.

2. Within thirty days after the election of the initial directors or the selection of the initial directors pursuant to subsection 3 of section 238.220, the board shall meet. The time and place of the first meeting of the board shall be designated by the court that heard the petition upon the court's own initiative or upon the petition of any interested person. At its first meeting and after each election of new board members or the selection of the initial directors pursuant to subsection 3 of section 238.220 the board shall elect a chairman from its members.

3. The board shall appoint an executive director, district secretary, treasurer and such other officers or employees as it deems necessary.

4. At the first meeting, the board, by resolution, shall define the first and subsequent fiscal years of the district, [and] shall adopt a corporate seal, **and shall notify the state auditor as required in subsection 7 of this section.**

5. A simple majority of the board shall constitute a quorum. If a quorum exists, a majority of those voting shall have the authority to act in the name of the board, and approve any board resolution.

6. Each director shall devote such time to the duties of the office as the faithful discharge thereof may require and may be reimbursed for his actual expenditures in the performance of his duties on behalf of the district.

7. Any district which has been previously organized and for which formation was approved prior

to August 28, 2015, shall notify the state auditor's office in writing of the date it was organized and provide contact information for the current board of directors by December 31, 2015. Any district organized and formed after August 28, 2015, shall be required to notify the state auditor's office in writing of the date it was organized and provide contact information for the current board of directors within four months of the date the formation was approved by any court in this state.

238.272. 1. The state auditor may audit each district not more than once every three years. The actual costs of this audit shall be paid by the district and shall not exceed the greater of three percent of the gross revenues received by the transportation district or three percent of the expenditures made by the transportation district.

2. For petition audits performed on a transportation district by the state auditor, all expenses incurred in performing the audit including salaries of auditors, examiners, clerks, and other employees of the state auditor shall be paid by the transportation district, and the moneys shall be deposited in the petition audit revolving trust fund under section 29.230. The actual costs of the audit shall not exceed the greater of three percent of the gross revenues received by the transportation district or three percent of the expenditures made by the transportation district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115 Page 1, Line 7, by inserting immediately after the “,” the following:

“which will subsequently or ultimately sell such merchandise or equipment”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 15, Section 99.845, Line 311, by inserting after all of said section and line the following:

“137.018. 1. As used in this section, the term “merchandise” shall include short term rentals of equipment and other merchandise offered for short term rentals by rental companies under 532412 or 532210 of the 2012 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. As used in this section, the term “short term rental” shall mean rentals for a period of less than three hundred sixty-five consecutive days, for an undefined period, or under an open-ended contract.

2. For the purposes of article X, section 6 of the Constitution of Missouri, all merchandise held or owned by a merchant whether or not currently subject to a short term rental and which will subsequently or ultimately be sold shall be considered inventory and exempt from ad valorem taxes.”; and

Further amend said bill and page, Section 137.076, Line 1, by deleting all of said line and inserting in lieu the following:

“137.076. 1. In establishing the value of a parcel of real property the county assessor shall”; and

Further amend said bill, page and section, Lines 11 through 15, by deleting all of said lines; and

Further amend said bill, page, section, Line 15, by inserting immediately after all of said line the following:

“2. In establishing the value of a parcel of real property the county assessor shall and will use an income based approach for assessment of parcels of real property with federal or state imposed restrictions in regard to rent limitations, operations requirements or any other restrictions imposed upon the property in connection with the property being eligible for any income tax credits under section 42 of the Internal Revenue Code of 1986 as amended; property constructed with the use of the United States Department of Housing and Urban Development HOME investment partnerships program; property constructed with the use of incentives provided by the United States Department of Agriculture Rural Development; or property receiving any other state or federal subsidies provided with respect to use of the property for housing purposes.

3. For the purposes of this section, the term “income based approach” shall and will include the use of direct capitalization methodology and computed by dividing the estimated net operating income of the parcel of property by an appropriate capitalization rate not to exceed the average of the current market data available in the county of said parcel of property plus the effective property tax rate applicable to the parcel. Federal and State tax credits or other subsidies shall not be considered when calculating the capitalization rate. Upon expiration of a land use restriction agreement, such parcel of property shall no longer be subject to this section.”; and

Further amend said bill, Page 19, Section 144.049, Line 50, by inserting immediately after said section and line the following:

“153.030. 1. All bridges over streams dividing this state from any other state owned, used, leased or otherwise controlled by any person, corporation, railroad company or joint stock company, and all bridges across or over navigable streams within this state, where the charge is made for crossing the same, which are now constructed, which are in the course of construction, or which shall hereafter be constructed, and all property, real and tangible personal, owned, used, leased or otherwise controlled by telegraph, telephone, electric power and light companies, electric transmission lines, pipeline companies and express companies shall be subject to taxation for state, county, municipal and other local purposes to the same extent as the property of private persons.

2. And taxes levied thereon shall be levied and collected in the manner as is now or may hereafter be provided by law for the taxation of railroad property in this state, and county commissions, county boards of equalization and the state tax commission are hereby required to perform the same duties and are given the same powers, including punitive powers, in assessing, equalizing and adjusting the taxes on the property set forth in this section as the county commissions and boards of equalization and state tax commission have or may hereafter be empowered with, in assessing, equalizing, and adjusting the taxes on railroad property; and an authorized officer of any such bridge, telegraph, telephone, electric power and light companies, electric transmission lines, pipeline companies, or express company or the owner of any such toll bridge, is hereby required to render reports of the property of such bridge, telegraph, telephone, electric power and light companies, electric transmission lines, pipeline companies, or express companies in like manner as the authorized officer of the railroad company is now or may hereafter be required to render for the taxation

of railroad property.

3. On or before the fifteenth day of April in the year 1946 and each year thereafter an authorized officer of each such company shall furnish the state tax commission and county clerks a report, duly subscribed and sworn to by such authorized officer, which is like in nature and purpose to the reports required of railroads under chapter 151 showing the full amount of all real and tangible personal property owned, used, leased or otherwise controlled by each such company on January first of the year in which the report is due.

4. If any telephone company assessed pursuant to chapter 153 has a microwave relay station or stations in a county in which it has no wire mileage but has wire mileage in another county, then, for purposes of apportioning the assessed value of the distributable property of such companies, the straight line distance between such microwave relay stations shall constitute miles of wire. In the event that any public utility company assessed pursuant to this chapter has no distributable property which physically traverses the counties in which it operates, then the assessed value of the distributable property of such company shall be apportioned to the physical location of the distributable property.

5. Notwithstanding any provision of law to the contrary, beginning January 1, 2017, a telephone company shall annually be assessed using the methodology for property tax purposes, as provided for pursuant to this section, or may annually elect to be assessed using the methodology for property tax purposes, as provided for pursuant to this section, for property consisting of land and buildings, and be assessed for all other property exclusively using the methodology utilized pursuant to section 137.122. The provisions of this subsection shall not be construed to change the original assessment jurisdiction of the state tax commission.

6. Nothing in subsection 5 shall be construed as applying to any other utilities.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 1, Section A, Line 3, by inserting immediately after said section and line the following:

“32.069. **1.** Notwithstanding any other provision of law to the contrary, interest shall be allowed and paid on any refund or overpayment at the rate determined by section 32.068 only if the overpayment is not refunded within one hundred twenty days[, or within ninety days in the case of taxes imposed by sections 143.011 and 143.041,] from the latest of the following dates:

(1) The last day prescribed for filing a tax return or refund claim, without regard to any extension of time granted;

(2) The date the return, payment, or claim is filed; or

(3) The date the taxpayer files for a credit or refund and provides accurate and complete documentation to support such claim.

2. Notwithstanding any other provision of law to the contrary, interest shall be allowed and paid on any refund or overpayment at the rate determined by section 32.068 only if the overpayment in the case of taxes imposed by sections 143.011 and 143.041 is not refunded within forty-five days from the date the return or claim is filed.”; and

Further amend said bill, Page 15, Section 99.845, Line 311, by inserting immediately after said section and line the following:

“136.110. 1. The director of revenue shall promptly record all sums of money collected or received by the director and shall immediately thereafter deposit the same with the state treasurer, excluding all funds received and disbursed by the state on behalf of counties and cities, towns and villages. The state treasurer, upon receipt of any moneys from the director of revenue, shall give his or her receipt therefor, executing the same in triplicate, and shall deliver one copy of such receipt to the director of revenue, one copy to the commissioner of administration, and shall retain the third copy thereof in the files of the state treasurer. The books of the director of revenue shall be audited by the state auditor at such times as may be required by law, and at such other times as may be directed by the governor.

2. For the purposes of this section, the term “promptly” shall mean within two business days.”;
and

Further amend said bill, Page 18, Section 143.801, Line 74, by inserting immediately after said section and line the following:

“143.811. 1. Under regulations prescribed by the director of revenue, interest shall be allowed and paid at the rate determined by section 32.065 on any overpayment in respect of the tax imposed by sections 143.011 to 143.996; except that, where the overpayment resulted from the filing of an amendment of the tax by the taxpayer after the last day prescribed for the filing of the return, interest shall be allowed and paid at the rate of six percent per annum. With respect to the part of an overpayment attributable to a deposit made pursuant to subsection 2 of section 143.631, interest shall be paid thereon at the rate in section 32.065 from the date of the deposit to the date of refund. No interest shall be allowed or paid if the amount thereof is less than one dollar.

2. For purposes of this section:

(1) Any return filed before the last day prescribed for the filing thereof shall be considered as filed on such last day determined without regard to any extension of time granted the taxpayer;

(2) Any tax paid by the taxpayer before the last day prescribed for its payment, any income tax withheld from the taxpayer during any calendar year, and any amount paid by the taxpayer as estimated income tax for a taxable year shall be deemed to have been paid by him on the fifteenth day of the fourth month following the close of his taxable year to which such amount constitutes a credit or payment.

3. For purposes of this section with respect to any withholding tax:

(1) If a return for any period ending with or within a calendar year is filed before April fifteenth of the succeeding calendar year, such return shall be considered filed April fifteenth of such succeeding calendar year; and

(2) If a tax with respect to remuneration paid during any period ending with or within a calendar year is paid before April fifteenth of the succeeding calendar year, such tax shall be considered paid on April fifteenth of such succeeding calendar year.

4. If any overpayment of tax imposed by sections 143.061 and 143.071 is refunded within four months after the last date prescribed (or permitted by extension of time) for filing the return of such tax or within four months after the return was filed, whichever is later, no interest shall be allowed under this section on

overpayment.

5. If any overpayment of tax imposed by sections 143.011 and 143.041 is refunded within [ninety] **forty-five** days after the [last date prescribed or permitted by extension of time for filing the return of such tax] **date the return or claim is filed**, no interest shall be allowed under this section on overpayment.

6. Any overpayment resulting from a carryback, including a net operating loss and a corporate capital loss, shall be deemed not to have been made prior to the close of the taxable year in which the loss arises.

7. Any overpayment resulting from a carryback of a tax credit, including but not limited to the tax credits provided in sections 253.557 and 348.432, shall be deemed not to have been made prior to the close of the taxable year in which the tax credit was authorized.

143.1028. 1. For all tax years beginning on or after January 1, 2016, each individual entitled to a tax refund in an amount sufficient to make a designation under this section may designate all or a portion of his or her refund be credited to a specified Missouri higher education savings plan account established under sections 166.400 to 166.455. The contribution designation authorized by this section shall be clearly and unambiguously printed on each income tax return form provided by this state. If any individual that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to a specified account, such individual may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, the amount the individual wishes to contribute. Such amounts shall be clearly designated for the specified account.

2. A contribution designated under this section shall only be transferred and deposited into the specified savings account after all other claims against the refund from which such contribution is to be made have been satisfied. No contribution shall be allowed unless the taxpayer is entitled to a refund of at least twenty-five dollars.

3. Any refund amount designated under this section shall be subject to the provisions of section 143.721.

4. No contribution shall be made to a specified savings account if it would cause the balance of all savings accounts of the beneficiary to exceed the total contribution limit established under section 166.420.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 15, Section 137.076, Line 15, by inserting immediately after said line the following:

“140.170. 1. Except for lands described in subsection 7 of this section, the county collector shall cause a copy of the list of delinquent lands and lots to be printed in some newspaper of general circulation published in the county for three consecutive weeks, one insertion weekly, before the sale, the last insertion to be at least fifteen days prior to the fourth Monday in August.

2. In addition to the names of all record owners or the names of all owners appearing on the land tax book it is only necessary in the printed and published list to state in the aggregate the amount of taxes,

penalty, interest and cost due thereon, each year separately stated.

3. To the list shall be attached and in like manner printed and published a notice of said lands and lots stating that said land and lots will be sold at public auction to discharge the taxes, penalty, interest, and costs due thereon at the time of sale in or adjacent to the courthouse of such county, on the fourth Monday in August next thereafter, commencing at ten o'clock of said day and continuing from day to day thereafter until all are offered.

4. The county collector, on or before the day of sale, shall insert at the foot of the list on his **or her** record a copy of the notice and certify on his **or her** record immediately following the notice the name of the newspaper of the county in which the notice was printed and published and the dates of insertions thereof in the newspaper.

5. The expense of such printing shall be paid out of the county treasury and shall not exceed the rate provided for in chapter 493, relating to legal publications, notices and advertisements, and the cost of printing at the rate paid by the county shall be taxed as part of the costs of the sale of any land or lot contained in the list.

6. The county collector shall cause the affidavit of the printer, editor or publisher of the newspaper in which the list of delinquent lands and notice of sale was published, as provided by section 493.060, with the list and notice attached, to be recorded in the office of the recorder of deeds of the county, and the recorder shall not charge or receive any fees for recording the same.

7. The county collector may have a separate list of such lands, without legal descriptions or the names of the record owners, printed in a newspaper of general circulation published in such county for three consecutive weeks before the sale of such lands for a parcel or lot of land that:

(1) Has an assessed value of one thousand **five hundred** dollars or less and has been advertised previously; or

(2) Is a lot in a development of twenty or more lots and such lot has an assessed value of one thousand **five hundred** dollars or less. The notice shall state that legal descriptions and the names of the record owners of such lands shall be posted at any county courthouse within the county and the office of the county collector.

8. If, in the opinion of the county collector, an adequate legal description of the delinquent land and lots cannot be obtained through researching the documents available through the recorder of deeds, the collector may commission a professional land surveyor to prepare an adequate legal description of the delinquent land and lots in question. The costs of any commissioned land survey deemed necessary by the county collector shall be taxed as part of the costs of the sale of any land or lots contained in the list prepared under this section.

140.195. Any collector, agent of any collector, tax sale purchaser, or agent of any tax sale purchaser performing duties under this chapter shall have the lawful right to enter upon the land of another without being guilty of trespass, if he or she is in the course of providing or attempting to provide notice of a tax sale or tax sale redemption rights and it is necessary to enter upon such land to provide, serve, or post such notice.

140.310. 1. The purchaser of any tract or lot of land at sale for delinquent taxes, homesteads excepted,

shall at any time after one year from the date of sale be entitled to the immediate possession of the premises so purchased during the redemption period provided for in this law, unless sooner redeemed; provided, however, any owner or occupant of any tract or lot of land purchased may retain possession of said premises by making a written assignment of, or agreement to pay, rent certain or estimated to accrue during such redemption period or so much thereof as shall be sufficient to discharge the bid of the purchaser with interest thereon as provided in the certificate of purchase.

2. The purchaser, his **or her** heirs or assigns may enforce his **or her** rights under said written assignment or agreement in any manner now authorized or hereafter authorized by law for the collection of delinquent and unpaid rent; provided further, nothing herein contained shall operate to the prejudice of any owner not in default and whose interest in the tract or lot of land is not encumbered by the certificate of purchase, nor shall it prejudice the rights of any occupant of any tract or lot of land not liable to pay taxes thereon nor such occupant's interest in any planted, growing or unharvested crop thereon.

3. Any additions or improvements made to any tract or lot of land by any occupant thereof, as tenant or otherwise, and made prior to such tax sale, which such occupant would be permitted to detach and remove from the land under his **or her** contract of occupancy shall also, to the same extent, be removable against the purchaser, his **or her** heirs or assigns.

4. Any rent collected by the purchaser, his **or her** heirs or assigns shall operate as a payment upon the amount due the holder of such certificate of purchase, and such amount or amounts, together with the date paid and by whom shall be endorsed as a credit upon said certificate, and which said sums shall be taken into consideration in the redemption of such land, as provided for in this chapter.

5. Any purchaser, heirs or assigns in possession within the period of redemption against whom rights of redemption are exercised shall be protected in the value of any planted, growing and/or unharvested crop on the lands redeemed in the same manner as such purchaser, heirs or assigns would be protected in valuable and lasting improvements made upon said lands after the period of redemption and referred to in section 140.360.

[6. The one-year redemption period shall not apply to third-year tax sales, but the ninety-day redemption period as provided in section 140.405 shall apply to such sales. There shall be no redemption period for a post-third-year tax sale, or any offering thereafter.]

140.340. 1. Upon paying the reasonable and customary costs of sale to the county collector for the use of the purchaser, his or her heirs, successors, or assigns; the owner; lienholder; or occupant of any land or lot sold for taxes, or any other persons having an interest therein, [may] shall have the absolute right to redeem the same at any time during the one year next ensuing[, in the following manner] and shall continue to have a defeasible right to redeem the same until such time as the tax sale purchaser acquires the deed, at which time the right to redeem shall expire, provided upon the expiration of the lien evidenced by a certificate of purchase under section 140.410 no redemption shall be required.

2. The reasonable and customary costs of sale include all costs incurred in selling and foreclosing tax liens under this chapter, and such reasonable and customary costs shall include the following: [by paying to the county collector, for the use of the purchaser, his heirs or assigns,] the full sum of the purchase money named in [his] **the** certificate of purchase and all the [cost] **costs** of the sale, including the cost to record the certificate of purchase as required in section 140.290, the fee necessary for the collector to record the release of such certificate of purchase, and the **reasonable and customary** cost of the title search and

[mailings] **postage costs** of notification required in sections 140.150 to 140.405, together with interest at the rate specified in such certificate, not to exceed ten percent annually, except on a sum paid by a purchaser in excess of the delinquent taxes due plus costs of the sale **incurred by the collector**, no interest shall be owing on the excess amount, with all subsequent taxes which have been paid thereon by the purchaser, his **or her** heirs or assigns with interest at the rate of eight percent per annum on such taxes subsequently paid, and in addition thereto the person redeeming any land shall pay the costs incident to entry of recital of such redemption; **provided, however, that no costs incurred by tax sale purchasers in providing notice of tax sale redemption rights required by law shall be reimbursable as a reasonable and customary cost of sale unless such costs are incurred after March first following the date of purchase of the tax sale certificate by said tax sale purchaser at a first or second offering delinquent tax sale.**

[2.] **3.** Upon deposit with the county collector of the amount necessary to redeem as herein provided, it shall be the duty of the county collector to mail to the purchaser, his **or her** heirs or assigns, at the last post office address if known, and if not known, then to the address of the purchaser as shown in the record of the certificate of purchase, notice of such deposit for redemption.

[3.] **4.** Such notice, given as herein provided, shall stop payment to the purchaser, his **or her** heirs or assigns of any further interest or penalty.

[4. In case the party purchasing said land, his heirs or assigns fails to take a tax deed for the land so purchased within six months after the expiration of the one year next following the date of sale, no interest shall be charged or collected from the redemptioner after that time.]

5. The reasonable and customary costs of sale needed to redeem any land or lot sold for taxes under this section shall be determined by the collector.

140.350. [Infants] **Minors** and incapacitated and disabled persons as defined in chapter 475 may redeem any lands belonging to them sold for taxes, within [one year after the expiration of such disability] **five years of the date of the last payment of taxes encumbering the real estate by the minor, incapacitated or disabled person, the party's predecessors in interest, or any representative of such person**, in the same manner as provided in section 140.340 for redemption by other persons.

140.405. 1. Any person purchasing property at a delinquent land tax auction shall not acquire the deed to the real estate, as provided for in section 140.250 or 140.420, until the person meets the requirements of this section, except that such requirements shall not apply to post-third-year sales, which shall be conducted under subsection 4 of section 140.250. The purchaser shall obtain a title search report from a licensed attorney or licensed title company detailing the ownership and encumbrances on the property. [Such title search report shall be declared invalid if the effective date is more than one hundred twenty days from the date the purchaser applies for a collector's deed under section 140.250 or 140.420.]

2. At least ninety days prior to the date when a purchaser is authorized to acquire the deed, the purchaser shall notify the owner of record and any person who holds a publicly recorded unreleased deed of trust, mortgage, lease, lien, judgment, or any other publicly recorded claim upon that real estate of such person's right to redeem the property. Notice shall be sent by both first class mail and certified mail return receipt requested to such person's last known available address. If the certified mail return receipt is returned signed, the first class mail notice is not returned, the first class mail notice is refused where noted by the United States Postal Service, or any combination thereof, notice shall be presumed received by the recipient. At the conclusion of the applicable redemption period, the purchaser shall make an affidavit in accordance

with subsection [4] **5** of this section.

3. If the owner of record or the holder of any other publicly recorded claim on the property intends to transfer ownership or execute any additional liens or encumbrances on the property, such owner shall first redeem such property under section 140.340. The failure to comply with redeeming the property first before executing any of such actions or agreements on the property shall require the owner of record or any other publicly recorded claim on the property to reimburse the purchaser for the total bid as recorded on the certificate of purchase and all the costs of the sale required in sections 140.150 to 140.405.

4. In the case that both the certified notice return receipt card is returned unsigned and the first class mail is returned for any reason except refusal, where the notice is returned undeliverable, then the purchaser shall attempt additional notice and certify in the purchaser's affidavit to the collector that such additional notice was attempted and by what means.

5. The purchaser shall notify the county collector by affidavit of the date that every required notice was sent to the owner of record and, if applicable, any other publicly recorded claim on the property. To the affidavit, the purchaser shall attach a copy of a valid title search report as described in subsection 1 of this section as well as completed copies of the following for each recipient:

- (1) Notices of right to redeem sent by first class mail;
- (2) Notices of right to redeem sent by certified mail;
- (3) Addressed envelopes for all notices, as they appeared immediately before mailing;
- (4) Certified mail receipt as it appeared upon its return; and

(5) Any returned regular mailed envelopes. As provided in this section, at such time the purchaser notifies the collector by affidavit that all the ninety days' notice requirements of this section have been met, the purchaser is authorized to acquire the deed, provided that a collector's deed shall not be acquired before the expiration date of the redemption period as provided in section 140.340.

6. If any real estate is purchased at a third-offering tax auction and has a publicly recorded unreleased deed of trust, mortgage, lease, lien, judgment, or any other publicly recorded claim upon the real estate under this section, the purchaser of said property shall within forty-five days after the purchase at the sale notify such person of the person's right to redeem the property within ninety days from the postmark date on the notice. Notice shall be sent by both first class mail and certified mail return receipt requested to such person's last known available address. The purchaser shall notify the county collector by affidavit of the date the required notice was sent to the owner of record and, if applicable, the holder of any other publicly recorded claim on the property, that such person shall have ninety days to redeem said property or be forever barred from redeeming said property.

7. If the county collector chooses to have the title search done then the county collector may charge the purchaser the cost of the title search before giving the purchaser a deed pursuant to section 140.420.

8. [If the property is redeemed, the person redeeming the property shall pay the costs incurred by the purchaser in providing notice under this section. Recoverable costs on any property sold at a tax sale shall include the title search, postage, and costs for the recording of any certificate of purchase issued and for recording the release of such certificate of purchase and all the costs of the sale required in sections 140.150 to 140.405.

9.] Failure of the purchaser to comply with this section shall result in such purchaser's loss of all interest in the real estate **except as otherwise provided in sections 140.550 and 140.570.**

9. The phrase “authorized to acquire the deed” as used in this chapter shall mean the date chosen by the tax sale purchaser that is more than the minimum redemption period set forth in section 140.340 if the tax sale purchaser has complied with the following requirements entitling the purchaser to the issuance of a collector's deed:

(1) Compliance with the requirements of this section to the satisfaction of the collector;

(2) Payment of the recording fee for the collector's deed as required under section 140.410;

(3) Production of the original of the certificate of purchase as required under section 140.420, or production of an original affidavit of lost or destroyed certificate approved by the collector as to form and substance; and

(4) Payment of all subsequent taxes required to be paid under section 140.440.

10. Notwithstanding any provision of law to the contrary, any person except a minor or an incapacitated or disabled person may receive notice under this section in a foreign country or outside the United States:

(1) By any internationally agreed upon means of service that is reasonably calculated to give notice, such as the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents;

(2) If there is no internationally agreed upon means of service, or if an international agreement allows service but does not specify the means, by a method that is reasonably calculated to give notice;

(3) As set forth for the foreign country's acceptable method of service in actions in courts of general jurisdiction;

(4) As the foreign country directs in response to a letter of request;

(5) Unless prohibited by a foreign country's law, by delivering a copy of the notice to the person personally or using a form of mail that requires a signed receipt; or

(6) By any other means not prohibited by international agreement as approved by the collector.

140.410. In all cases where lands have been or may hereafter be sold for delinquent taxes, penalty, interest and costs due thereon, and a certificate of purchase has been or may hereafter be issued, it is hereby made the duty of such purchaser, his **or her** heirs or assigns, to cause all subsequent taxes to be paid on the property purchased prior to the issuance of any collector's deed, and the purchaser shall further cause a deed to be executed and placed on record in the proper county all within [two years] **eighteen months** from the date of said sale; provided, that on failure of said purchaser, his **or her** heirs or assigns so to do, then and in that case the amount due such purchaser shall cease to be a lien on said lands so purchased as herein provided. Upon the purchaser's forfeiture of all rights of the property acquired by the certificate of purchase issued, and including the nonpayment of all subsequent years' taxes as described in this section, it shall be the responsibility of the collector to record the cancellation of the certificate of purchase in the office of the recorder of deeds of the county. Certificates of purchase cannot be assigned to nonresidents or delinquent taxpayers. However, any person purchasing property at a delinquent land tax sale who meets the requirements of this section, prior to receiving a collector's deed, shall pay to the collector the fee necessary

for the recording of such collector's deed to be issued. It shall be the responsibility of the collector to record the deed before delivering such deed to the purchaser of the property.

140.420. If no person shall redeem the lands sold for taxes [within the applicable redemption period of one year from the date of the sale or within the ninety-day notice as specified in section 140.405 for a third-year tax sale] **prior to the expiration of the right to redeem**, at the expiration thereof, and on production of the certificate of purchase **and upon proof satisfactory to the collector that a purchaser or his or her heirs, successors, or assigns are authorized to acquire the deed**, the collector of the county in which the sale of such lands took place shall execute to the purchaser, his **or her** heirs or assigns, in the name of the state, a conveyance of the real estate so sold, which shall vest in the grantee an absolute estate in fee simple, subject, however, to all claims thereon for unpaid taxes except such unpaid taxes existing at time of the purchase of said lands and the lien for which taxes was inferior to the lien for taxes for which said tract or lot of land was sold.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 18, Section 143.801, Line 74, by inserting after all of said section and line the following:

“143.1100. 1. This section shall be known and may be cited as the “Bring Jobs Home Act”.

2. As used in this section, the following terms shall mean:

(1) “Business unit”:

(a) Any trade or business; and

(b) Any line of business or function unit which is part of any trade or business;

(2) “Deduction”:

(a) For individuals, an amount subtracted from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income for the tax year in which such deduction is claimed; and

(b) For corporations, an amount subtracted from the taxpayer's Federal taxable income to determine Missouri taxable income for the tax year in which such deduction is claimed.

(3) “Department”, the department of economic development;

(4) “Eligible expenses”:

(a) Any amount for which a deduction is allowed to the taxpayer under Section 162 of the Internal Revenue Code of 1986, as amended; and

(b) Permit and license fees, lease brokerage fees, equipment installation costs, and other similar expenses.

(5) “Eligible insourcing expenses”:

(a) Eligible expenses paid or incurred by the taxpayer in connection with the elimination of any business unit of the taxpayer or of any member of any expanded affiliated group in which the taxpayer is also a member located outside the state of Missouri; and

(b) Eligible expenses paid or incurred by the taxpayer in connection with the establishment of any business unit of the taxpayer or of any member of any expanded affiliated group in which the taxpayer is also a member located within the state of Missouri if such establishment constitutes the relocation of the business unit so eliminated.

For purposes of this subdivision, expenses shall be eligible if such elimination of the business unit in another state or country occurs in a different taxable year from the establishment of the business unit in Missouri;

(6) “Expanded affiliated group”, an affiliated group as defined in Section 1504(a) of the Internal Revenue Code of 1986, as amended, determined without regard to Section 1504(b)(3) of the Internal Revenue Code of 1986, as amended, and by substituting more than fifty percent for at least eighty percent each place it appears in Section 1504(a) of the Internal Revenue Code of 1986, as amended. A partnership or any other entity other than a corporation shall be treated as a member of an expanded affiliated group if such entity is controlled by members of such group including any entity treated as a member of such group by reason of this subdivision;

(7) “Full-time equivalent employee”, the same meaning as ascribed to the term under Sections 45R(d) and 45R(e) of the Internal Revenue Code of 1986, as amended, determined by only taking into account wages as otherwise defined in Section 45R(e) of the Internal Revenue Code of 1986, as amended, paid with respect to services performed within Missouri. In order to receive the tax deduction authorized in this section, a taxpayer’s full-time equivalent employee performing services in Missouri shall be paid a salary or hourly wage equal to or more than an employee of the taxpayer in the same position prior to the relocation of the business unit;

(8) “Insourcing plan”, a written plan to carry out the establishment of a business unit in Missouri as described in subdivision (5) of this subsection;

(9) “Taxpayer”, any individual, firm, a partner in a firm, corporation, partnership, shareholder in an S-corporation, or member of a limited liability company subject to the income tax imposed under chapter 143, excluding withholding tax imposed by sections 143.191 to 143.265.

3. For all taxable years beginning on or after January 1, 2015, a taxpayer shall be allowed a deduction in an amount equal to fifty percent of the eligible insourcing expenses of the taxpayer which are taken into account in such taxable year under subsection 5 of this section. The amount of the deduction claimed shall not exceed the amount of:

(1) For individuals, the taxpayer’s Missouri adjusted gross income for the taxable year for which the deduction is claimed; and

(2) For corporations, the taxpayer’s Missouri taxable income for the taxable year for which the deduction is claimed.

However, any deduction that cannot be claimed in the taxable year may be carried over to the next five succeeding taxable years until the full deduction has been claimed.

4. No deduction shall be allowed under this section until the department determines the number of full-time equivalent employees of the taxpayer for the taxable year for which the deduction is claimed exceeds the number of full-time equivalent employees of the taxpayer for the last taxable year

ending before the first taxable year in which such eligible insourcing expenses were paid or incurred.

5. (1) Except as provided in subdivisions (2) and (3) of this subsection, eligible insourcing expenses shall be taken into account in the taxable year during which the plan described in subdivision (8) of subsection 2 of this section has been completed and all eligible insourcing expenses under such plan have been paid or incurred.

(2) If the taxpayer elects the application of this subdivision, eligible insourcing expenses shall be taken into account in the first taxable year after the taxable year described in subdivision (1) of this subsection.

6. Notwithstanding any other provision of law to the contrary, no deduction shall be allowed for any expenses incurred if dissolving a business unit in Missouri and relocating such business unit to another state.

7. The total amount of deductions authorized under this section shall not exceed twenty million dollars in any taxable year. In the event that more than twenty million dollars in deductions are claimed in a taxable year, deductions shall be issued on a first-come, first-served filing basis.

8. A taxpayer that receives a deduction under the provisions of this section shall be ineligible to receive incentives under the provisions of any other state tax deduction program for the same expenses incurred.

9. Any taxpayer allowed a deduction under this section who, within ten years of receiving the deduction, eliminates the business unit for which the deduction was allowed shall repay the state an amount equal to the tax savings realized for the deduction allowed under this section, prorated by the number of years the business unit was in this state.

10. The department of economic development and the department of revenue shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 10

Amend House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115 Page 1, Line 3, by inserting after all of said line the following:

“Further amend said bill, Section 143.801, Page 18, Line 74, by inserting after all of said section and line the following:

“144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public

highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision, "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a usable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(6) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(7) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(8) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(9) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(10) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(11) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(12) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(13) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (5) of this subsection, in facilities

owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, “processing” means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(14) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(17) Tangible personal property purchased by a rural water district;

(18) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation, provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this subdivision shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;

(19) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-

the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(20) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(21) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (20) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(22) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(23) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) “Domestic use” means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller’s utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification “residential” and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller’s utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(25) All sales of handicraft items made by the seller or the seller’s spouse if the seller or the seller’s spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(27) Sales of fuel, **supplies, or food** consumed or used in the operation of ships, barges, or waterborne

vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel, **supplies, or food** is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(28) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(29) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(30) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(31) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(32) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (5) of this subsection;

(33) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(34) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(35) All sales of grain bins for storage of grain for resale;

(36) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(37) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract

for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(38) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(39) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(40) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(41) All materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(42) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event.

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, as amended.""; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Pages 1-3, Section 94.860, Lines 1-74 and Pages 6-15, Section 99.845, Lines 1-311, by

striking said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“32.420. 1. For purposes of this section, the following terms shall mean:

(1) “Assessing entity”, the state or one or more political subdivisions of the state that collects a tax, fee, charge, or assessment from a qualifying business;

(2) “Department”, the department of revenue;

(3) “Election”, the submission by a qualifying business of an authorization for the department to pay one or more recurring taxes, fees, charges, or assessments assessed by an assessing entity on a form supplied by the department;

(4) “Qualifying business”, a business which is required to pay a tax, fee, charge, or assessment issued by an assessing entity:

(a) In a total amount greater than fifty thousand dollars per year; and

(b) Pays a tax, fee, charge, or assessment to twenty-five or more local taxing jurisdictions.

2. Notwithstanding any provision of law to the contrary, the department of revenue shall adopt rules implementing a system in which any recurring tax, fee, charge, or assessment issued by an assessing entity against a qualifying business, which has made an election for such tax, fee, charge, or assessment, shall be paid by such qualifying business in one transaction per month to the department. The department shall pay the assessing entity the amount remitted by the qualifying business as soon as practical, but no later than fifteen days after the receipt of funds from the qualifying business.

3. Notwithstanding any provision of law to the contrary, payment received by the department on or before such amount is due to the assessing entity shall not incur any late fees or penalties upon the department or the qualifying business if such funds are remitted to the assessing entity after the date such amount is due to the assessing entity.

4. For the purpose of administrative expenses associated with this section, the department may collect a fee from a qualifying business that makes an election under this section in an amount which cannot exceed one percent of the money the qualifying business remits to the department.

5. (1) The first year the provisions of this section are effective, the department shall accept the first twenty-five qualifying businesses that apply;

(2) The second year the provisions of this section are effective, the department shall accept the first one hundred qualifying businesses that apply; and

(3) The third year and every year thereafter the provisions of this section are effective, the department shall accept all qualifying businesses that apply.

6. The provisions of this section shall become effective on January 1, 2018.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, Page 21, Section 205.205, Line 68, by inserting immediately after said line the following:

“285.517. Notwithstanding any provision of sections 285.500 to 285.515 or any other provision of law to the contrary, for any taxpayer undergoing an audit conducted by the department of labor and industrial relations regarding classification of an individual as an independent contractor or employee, if the taxpayer has been granted relief from the imposition of federal employment taxes under Section 530 of the Revenue Act of 1978, as amended, for an individual, with the result that the taxpayer can continue to classify the individual as an independent contractor for purposes of federal employment taxes, the department of labor and industrial relations and the department of revenue shall allow the taxpayer to classify the individual as an independent contractor for purposes of Missouri employment taxes with a maximum employment tax rate of one percent. Nothing in this section shall be construed to change in any way the status, liabilities, or rights of the individual whose status is at issue. This section terminates the liability of the employer for the Missouri employment taxes at one percent, but shall have no effect on the individual whose status is at issue.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 445**, entitled:

An Act to repeal sections 29.380, 260.200, 260.225, 260.250, 260.320, 260.325, 260.330, 260.335, and 260.345, RSMo, and to enact in lieu thereof twelve new sections relating to environmental protection.

With House Amendment No. 1

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 445, Page 22, Section 643.650, Line 42, by inserting after all of said section and line the following:

“Section 1. Any drinking water treatment plant located downstream of a landfill that contains radioactive waste shall test the finished drinking water biannually for the presence of radionuclides in the water. The company who operates the landfill shall reimburse the water company operating the treatment plant for the costs incurred for the required testing.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **SCS** for **SB 300**, entitled:

An Act to repeal sections 86.200, 86.213, 86.237, 86.250, 86.251, 86.257, 86.263, 86.270, 86.320, 86.1110, 86.1270, 86.1500, 86.1630, 94.579, 169.291, 169.324, and 169.450, RSMo, and to enact in lieu thereof seventeen new sections relating to retirement benefits.

With House Amendment Nos. 1, 2, 3, 4 and 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 300, Page 35, Section 169.450, Line 117, by inserting the following after all of said line:

“169.560. Any person retired and currently receiving a retirement allowance pursuant to sections 169.010 to 169.141, other than for disability, may be employed in any capacity in a district included in the retirement system created by those sections on either a part-time or temporary-substitute basis not to exceed a total of five hundred fifty hours in any one school year, and through such employment may earn up to fifty percent of the annual compensation payable under the [employing] district’s salary schedule for the position or positions filled by the retiree, given such person’s level of experience and education, without a discontinuance of the person’s retirement allowance. If the [employing] school district does not utilize a salary schedule, or if the position in question is not subject to the [employing] district’s salary schedule, a retiree employed in accordance with the provisions of this section may earn up to fifty percent of the annual compensation paid to the person or persons who last held such position or positions. If the position or positions did not previously exist, the compensation limit shall be determined in accordance with rules duly adopted by the board of trustees of the retirement system; provided that, it shall not exceed fifty percent of the annual compensation payable for the position in the [employing] school district that is most comparable to the position filled by the retiree. In any case where a retiree fills more than one position during the school year, the fifty-percent limit on permitted earning shall be based solely on the annual compensation of the highest paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. Such a person shall not contribute to the retirement system or to the public education employee retirement system established by sections 169.600 to 169.715 because of earnings during such period of employment. If such a person is employed in any capacity by such a district [on a regular, full-time basis,] **in excess of the limitations set forth in this section**, the person shall not be eligible to receive the person’s retirement allowance for any month during which the person is so employed. **In addition, such person [and] shall contribute to the retirement system, if the person satisfies the retirement system’s membership eligibility requirements. In addition to the conditions set forth above, this section shall apply to any person retired and currently receiving a retirement allowance under sections 169.010 to 169.141, other than for disability, who is employed by a third party or is performing work as an independent contractor if such person is performing work in a district included in the retirement system as a temporary or long-term substitute teacher or in any other position that would normally require that person to be duly certificated under the laws governing the certification of teachers in Missouri if such person was employed by the district. The retirement system may require the district, the third-party employer, the independent contractor, and the retiree subject to this section to provide documentation showing compliance with this section. If such documentation is not provided, the retirement system may deem the retiree to have exceeded the limitations provided in this section.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 300, Page 24, Section 94.579, Line 139, by inserting after all of said section and line the following:

“104.037. If a retired member of the Missouri department of transportation and highway patrol employees’ retirement system or the Missouri state employees’ retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits, increased by an additional amount to account for interest which would have accrued should the retirement benefits not have been paid, such member shall be considered an active member of the retirement system, and upon retirement, the member’s creditable service shall be calculated as if the member had never retired and received any retirement benefits.

104.380. **1. Except as provided in subsection 2 of this section,** if a retired member is elected to any state office or is appointed to any state office or is employed by a department in a position normally requiring the performance by the person of duties during not less than one thousand forty hours per year, the member shall not receive an annuity for any month or part of a month for which the member serves as an officer or employee, but the member shall be considered to be a new employee with no previous creditable service and must accrue creditable service continuously for at least one year in order to receive any additional annuity. Any retired member who again becomes an employee and who accrues additional creditable service and later retires shall receive an additional amount of monthly annuity calculated to include only the creditable service and the average compensation earned by the member since such employment or creditable service earned as a member of the general assembly. Years of membership service and twelfths of a year are to be used in calculating any additional annuity except for creditable service earned as a member of the general assembly, and such additional annuity shall be based on the type of service accrued. In either event, the original annuity and the additional annuity, if any, shall be paid commencing with the end of the first month after the month during which the member’s term of office has been completed, or the member’s employment terminated. If a retired member is employed by a department in a position that does not normally require the person to perform duties during at least one thousand forty hours per year, the member shall not be considered an employee as defined pursuant to section 104.010. A retired member who becomes reemployed as an employee on or after August 28, 2001, in a position covered by the Missouri department of transportation and highway patrol employees’ retirement system shall not be eligible to receive retirement benefits or additional creditable service from the state employees’ retirement system. Annual benefit increases paid under section 104.415 shall not accrue while a retired member is employed as described in this section. Any future annual benefit increases paid after the member terminates such employment will be paid in the same month as the member’s original annual benefit increases were paid. Benefits paid under subsection 3 of section 104.374 are not applicable to any additional annuity paid under this section.

2. If a retired member of the Missouri department of transportation and highway patrol employees’ retirement system or the Missouri state employees’ retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits, increased by an additional amount to account for interest which would have accrued should the retirement benefits not have been paid, such member shall be considered an active member of the retirement system, and

upon retirement, the member's creditable service shall be calculated as if the member had never retired and received any retirement benefits.

104.1039. **1. Except as provided in subsection 2 of this section,** if a retiree is employed as an employee by a department, the retiree shall not receive an annuity payment for any calendar month in which the retiree is so employed. While reemployed the retiree shall be considered to be a new employee with no previous credited service and must accrue credited service continuously for at least one year in order to receive any additional annuity. Such retiree shall receive an additional annuity in addition to the original annuity, calculated based only on the credited service and the pay earned by such retiree during reemployment and paid in accordance with the annuity option originally elected; provided such retiree who ceases to receive an annuity pursuant to this section shall not receive such additional annuity if such retiree is employed by a department in a position that is covered by a state-sponsored defined benefit retirement plan not created pursuant to this chapter. The original annuity and any additional annuity shall be paid commencing as of the end of the first month after the month during which the retiree's reemployment terminates. Cost-of-living adjustments paid under section 104.1045 shall not accrue while a retiree is employed as described in this section. Any future cost-of-living adjustments paid after the retiree terminates such employment will be paid in the same month as the retiree's original annual benefit increases were paid.

2. If a retired member of the Missouri department of transportation and highway patrol employees' retirement system or the Missouri state employees' retirement system is elected to any state office, appointed to any state office, or is reemployed by a department and such member reimburses the retirement system for any amount received as retirement benefits, increased by an additional amount to account for interest which would have accrued should the retirement benefits not have been paid, such member shall be considered an active member of the retirement system, and upon retirement, the member's creditable service shall be calculated as if the member had never retired and received any retirement benefits."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 300, Page 24, Section 94.579, Line 139, by inserting after said line the following:

"104.403. 1. Any state employee or retiree, but not including a current or former member of the general assembly or statewide elected official, who retires pursuant to section 104.404, and who is also eligible for medical coverage as described in section 103.115, shall be eligible to apply for the following coverage:

(1) Such retiree may elect to continue coverage for himself or herself and any eligible dependents at the same cost as if such retiree was an active employee;

(2) Such retiree may continue to pay the applicable rate as if the retiree were an active employee for a maximum period of five years or upon becoming eligible for Medicare, whichever occurs first; and

(3) After five years or upon becoming eligible for Medicare, the cost for medical coverage for such retiree and any dependents shall revert to the applicable rate in place at that time.

2. Any employee [or retiree] of a participating member agency who retires pursuant to section 104.404

shall only be eligible to have the provisions of subsection 1 of this section applied to his or her coverage if the governing body of the participating member agency elects to provide such benefits.

3. The governing boards of Truman State University, Lincoln University, the educational institutions described in section 174.020, the highway commission that governs the health care plans of the Missouri department of transportation and the Missouri state highway patrol, and the conservation commission of the department of conservation may elect to provide its employees or retirees who retire pursuant to section 104.404 the same benefits as described in subsection 1 of this section under the respective medical plans of those institutions and departments. [If the highway commission elects to provide retirees the benefits of this section, any special consultant pursuant to section 104.515 who is a member of the Missouri department of transportation and Missouri state highway patrol medical and life insurance plan and who retired on or after February 1, 2003, but prior to July 1, 2003, shall be eligible to receive the benefits of this section.]

104.404. 1. An employee who has not been a retiree of the system in which such employee is currently receiving creditable or credited service, who is eligible to receive a normal annuity pursuant to section 104.080, 104.090, 104.100, 104.271, or 104.400, or a life and any temporary annuity pursuant to section 104.1024, and whose annuity commences no later than [September 1, 2003,] **November 1, 2015**, shall be eligible to receive the medical benefits described in section 104.403.

2. [An employee who would be eligible to receive a normal annuity pursuant to section 104.080, 104.090, 104.100, 104.271, or 104.400, or a life and any temporary annuity pursuant to section 104.1024, no later than January 1, 2004, shall be eligible to retire based on the employee's creditable or credited service and the average compensation or final average pay on the employee's date of termination of employment if the employee applies to retire and whose annuity commences no later than September 1, 2003. Such employee who so retires shall be eligible to receive the medical benefits described in subsection 1 of this section.

3. Any employee described in subsections 1 and 2 of this section who otherwise would be eligible to elect to receive benefits under the provisions of sections 104.625 and 104.1024, by no later than January 1, 2004, shall be eligible to elect to receive benefits pursuant to sections 104.625 and 104.1024; except that in no event shall a lump sum payment be made for any time period after the employee's annuity starting date.

4.] A retiree whose retirement annuity commenced on or after [February 1, 2003] **March 1, 2015**, but no later than [September 1, 2003] **November 1, 2015**, shall be eligible to receive the medical benefits described in section 104.403.

[5.] 3. The state may hire employees to replace those employees retiring pursuant to this section and section 104.403, except that departments shall not fill more than twenty-five percent of those positions vacated. Exceptions to the twenty-five percent restriction may be made for critical or seasonal positions or positions which are entirely federally funded. Such determination shall be made by rule and regulation promulgated by the office of administration. The provisions of this subsection shall not apply to Truman University, Lincoln University or the educational institutions described in section 174.020.

[6.] 4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable

and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, [2003] **2015**, shall be invalid and void.

[7.] **5.** The Missouri state employees' retirement system and the highways and transportation employees' and highway patrol retirement system, **if applicable**, shall make a report in writing to the governor[, and commissioner of administration[, and the general assembly by April 1, 2004,] **by December 1, 2015**, and in addition shall provide [monthly tracking] **a report** of the effect of state employee retirements pursuant to this section and section 104.403. [The report shall cover the time period of February 1, 2003, to January 31, 2004.] The report shall include the number of such retirements, the amount of payroll affected as a result of retirements, and the financial effect of such retirements as expressed in a report by each system's actuary.

[8.] **6.** The office of administration shall make a report in writing to the governor and the general assembly by [April 1, 2004,] **March 1, 2016**, and in addition shall provide [monthly tracking] **a report** of the budgetary effect of state employee retirements [pursuant] **relative to the effect of** this section and section 104.403. The report shall include the amount of payroll reduced as a result of such retirements, the number of positions that are core cut as a result of such retirements, the number of employees employed to replace those who retired pursuant to this section, and the financial effect on the budget, including any costs associated with payment of medical premiums by the state.

[9.] **7.** The Missouri consolidated health care plan shall make a report in writing to the [governor and the general assembly by April 1, 2004, and in addition shall provide monthly tracking] **office of administration by December 1, 2015**, of the effect of state not be limited to, the amount of payroll reduced as a result of such retirements, the number of positions that are core cut as a result of such retirements, the number of employees employed to replace those who retired pursuant to this section, and the financial effect on the budget, including any costs associated with payment of medical premiums by the state.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 300, Page 24, Section 94.579, Line 139, by inserting immediately after said line the following:

“94.902. 1. The governing [body] **bodies of the following cities may impose a tax as provided in this section:**

(1) Any city of the third classification with more than twenty-six thousand three hundred but less than twenty-six thousand seven hundred inhabitants[, or] ;

(2) Any city of the fourth classification with more than thirty thousand three hundred but fewer than thirty thousand seven hundred inhabitants[, or] ;

(3) Any city of the fourth classification with more than twenty-four thousand eight hundred but fewer than twenty-five thousand inhabitants[.] ;

(4) **Any special charter city with more than twenty-nine thousand but fewer than thirty-two thousand inhabitants; or**

(5) Any city of the third classification with more than four thousand but fewer than four thousand five hundred inhabitants and located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants.

2. The governing body of any city listed in subsection 1 of this section may impose, by order or ordinance, a sales tax on all retail sales made in the city which are subject to taxation under chapter 144. The tax authorized in this section may be imposed in an amount of up to one-half of one percent, and shall be imposed solely for the purpose of improving the public safety for such city, including but not limited to expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the city submits to the voters residing within the city, at a county or state general, primary, or special election, a proposal to authorize the governing body of the city to impose a tax under this section.

[2.] **3.** The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall the city of (city's name) impose a citywide sales tax at a rate of
(insert rate of percent) percent for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments to the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a majority of the votes cast on the proposal by the qualified voters voting thereon are opposed to the proposal, then the tax shall not become effective unless the proposal is resubmitted under this section to the qualified voters and such proposal is approved by a majority of the qualified voters voting on the proposal. However, in no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.

[3.] **4.** Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in section 32.087. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created in the state treasury, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director shall keep accurate records of the amount of money in the trust fund and which was collected in each city imposing a sales tax under this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax. Such

funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

[4.] 5. The director of the department of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the action at least ninety days before the effective date of the repeal, and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

[5.] 6. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) repeal the sales tax imposed at a rate of (insert rate of percent) percent for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question.

[6.] 7. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

[7.] 8. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 300, Page 24, Section 94.579, Line 139, by inserting after all of said line the following:

“169.141. 1. Any person receiving a retirement allowance under sections 169.010 to 169.140, and who elected a reduced retirement allowance under subsection 3 of section 169.070 with his spouse as the nominated beneficiary, may nominate a successor beneficiary under either of the following circumstances:

(1) If the nominated beneficiary precedes the retired person in death, the retired person may, upon remarriage, nominate the new spouse under the same option elected in the application for retirement;

(2) If the marriage of the retired person and the nominated beneficiary is dissolved, and if the dissolution decree provides for sole retention by the retired person of all rights in the retirement allowance, the retired person may, upon remarriage, nominate the new spouse under the same option elected in the application for retirement.

2. Any nomination of a successor beneficiary under subdivision (1) or (2) of subsection 1 of this section must be made in accordance with procedures established by the board of trustees, and must be filed within ninety days of May 6, 1993, or within [ninety days] **one year** of the remarriage, whichever later occurs. Upon receipt of a successor nomination filed in accordance with those procedures, the board shall adjust the retirement allowance to reflect actuarial considerations of that nomination as well as previous beneficiary and successor beneficiary nominations.

3. Any person receiving a retirement allowance under sections 169.010 to 169.140, and who elected a reduced retirement allowance under subsection 3 of section 169.070 with his or her spouse as the nominated beneficiary may have the retirement allowance increased to the amount the retired member would be receiving had the retired member elected option 1 if:

(1) The marriage of the retired person and the nominated spouse is dissolved on or after September 1, 2015;

(2) If the dissolution decree provides for sole retention by the retired person of all rights in the retirement allowance; and

(3) The person would have received under subsection 3 of section 169.070.

Any such increase in the retirement allowance shall be effective upon the receipt of an application for such increase and a certified copy of the decree of dissolution that meets the requirements of this section.”; and

Further amend said bill, Section 169.450, Page 35, Line 117, by inserting the following after all of said line:

“169.715. 1. Any person receiving a retirement allowance under sections 169.600 to 169.712, and who elected a reduced retirement allowance under subsection 4 of section 169.670 with his spouse as the nominated beneficiary, may nominate a successor beneficiary under either of the following circumstances:

(1) If the nominated beneficiary precedes the retired person in death, the retired person may, upon remarriage, nominate the new spouse under the same option elected in the application for retirement;

(2) If the marriage of the retired person and the nominated beneficiary is dissolved, and if the dissolution decree provides for sole retention by the retired person of all rights in the retirement allowance, the retired person may, upon remarriage, nominate the new spouse under the same option elected in the application for retirement.

2. Any nomination of a successor beneficiary under subdivision (1) or (2) of subsection 1 of this section must be made in accordance with procedures established by the board of trustees, and must be filed within ninety days of May 6, 1993, or within [ninety days] **one year** of the remarriage, whichever later occurs. Upon receipt of a successor nomination filed in accordance with those procedures, the board shall adjust the retirement allowance to reflect actuarial considerations of that nomination as well as previous beneficiary and successor beneficiary nominations.

3. Any person receiving a retirement allowance under sections 169.600 to 169.715, and who elected a reduced retirement allowance under subsection 3 of section 169.670 with his or her spouse as the nominated beneficiary may have the retirement allowance increased to the amount the retired member would be receiving had the retired member elected option 1 if:

(1) The marriage of the retired person and the nominated spouse is dissolved on or after September 1, 2015;

(2) If the dissolution decree provides for sole retention by the retired person of all rights in the retirement allowance; and

(3) The person would have received under subsection 4 of section 169.670.

Any such increase in the retirement allowance shall be effective upon the receipt of an application for such increase and a certified copy of the decree of dissolution that meets the requirements of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 336**, entitled:

An Act to repeal section 143.191, RSMo, and to enact in lieu thereof one new section relating to income tax withholding on tips.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House

refuses to adopt **SCS** for **HB 152**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **SB 446**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 282**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SCS** for **SB 67**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SCS** for **SB 67**, as amended. Representatives: Rhoads, Fitzwater (49), Higdon, Ellington and McManus.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SB 446**, as amended. Representatives: Davis, McCaherty, Vescovo, Burns and Conway (10).

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HB 458**, as amended. Representatives: Allen, Higdon, Flanigan, Montecillo and Colona.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 50**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HB 878**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 515**.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 30, 2015

TO THE SECRETARY OF THE SENATE
98TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24, entitled:

AN ACT

To repeal sections 208.040, RSMo, and to enact in lieu thereof four new sections relating to nonmedical public assistance.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24 (Senate Bill No. 24). My reasons for disapproval are as follows:

Senate Bill No. 24 is a misguided measure that punishes poor children in the legislature's zeal to reduce reliance on government assistance. If enacted, this legislation would jeopardize the lives of Missouri's children in two ways: first, by reducing the length of time that they can receive benefits even if their parents are working and second, by eliminating their benefits if their parents are not meeting the work requirements.

Like the majority of states, Missouri law currently imposes a lifetime limit of 60 months for eligible recipients to receive monthly payments from the federal Temporary Assistance for Needy Families (TANF) program. Senate Bill No. 24 would reduce the lifetime limit for TANF benefits to 45 months. Only eight other states have shorter lifetime limits. The impact of this reduction on Missouri's children would be as harsh as it is unnecessary. If Senate Bill No. 24 were to become law, an estimated 3,155 families would see their payments terminated on January 1, 2016. This would mean that approximately 6,465 children would have this support, upon which they depend, immediately cut off through no fault or action of their own; 40 percent of these children are under the age of five. And tens of thousands of more children will fall victim to this provision in the future. This drastic impact on children could be minimized through any number of provisions that the legislature should have considered, such as exempting the children in families that are currently receiving TANF benefits. "Grandfathering" these children would offer some protection from a change in the rules sprung upon them after initially committing up to 60 months of support.

The justifications offered by proponents for this reduction in benefits to children do not withstand scrutiny. TANF benefits are not lucrative. The average TANF benefit is \$228 per month in Missouri, and to even be eligible to receive this amount, the family's income must be very low; for example, a family of three cannot earn more than \$292 a month. TANF dependency is not increasing - in FY2014, 13 percent fewer families received TANF benefits than did so in FY2013.

To further damage the children of Missouri, Senate Bill No. 24 would impose a penalty on the child of a parent who fails to engage in defined work activities as a condition for receiving TANF benefits. Under current Missouri law, a parent or caretaker seeking TANF assistance must engage in specified work activities in order for the full benefit to be paid. Failure to do so results in a 25% reduction of the benefit. This sanction is an appropriate consequence for the parent's noncompliance with the work requirement while not eliminating the availability of assistance for the children in the family. However, if Senate Bill No. 24 were to become law, the entire benefit would be eliminated and young children would be forced to suffer further from their parents' failure to meet those obligations. Applying a penalty to children in these circumstances is harsh and should not become the law of Missouri.

It is important that a program like TANF be as effective for taxpayers as possible, and one means of doing so is to ensure that the adults who participate in the program accept the personal responsibility for work that the program properly requires. But Senate Bill No. 24 goes far beyond holding adults accountable. Instead, it punishes children for the behavior of their parents. Rather than imposing a sanction on the children of adults who fail to meet the work requirements, the legislature could have authorized, as it has in other circumstances, a protective payee to receive and administer the children's share of the TANF benefit, thereby making the reasonable distinction between adults who are responsible for meeting the requirements and children who are not. But the legislature failed to do so. This is fundamentally unfair, and I will not support it.

I cannot condone the hardships imposed on innocent children that Senate Bill No. 24 would require - first, by unnecessarily cutting the length of time that children can receive benefits even when their parents are working and second, by cruelly eliminating their benefits if their parents are not meeting work requirements. Missouri law should not mandate such meanness toward innocent children.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 24 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

PRIVILEGED MOTIONS

Senator Kraus moved that the Senate refuse to concur in **HCS** for **SS** for **SCS** for **SB 115**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Silvey moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 300**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Romine moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 172**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Romine moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 445**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 478**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HCS** for **HBs 578, 574 and 584**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 401**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 279**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 100**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 1093**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 112**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 385**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 618**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 799**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 104**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, Senator Libla, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 33**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 529**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 864**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **HB 440**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HB 502**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HCS** for **HB 769**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 1070**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 923**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 714**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1084**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 796**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 976**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HB 137**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 523**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which were referred **HB 522**, **HB 34**, **HB 133**, **HB 134**, **HB 810**, **HB 338** and **HB 873**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 40**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HB 458**, as amended: Senators Schmitt, Onder, Silvey, Nasheed and Schupp.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SB 446**, as amended: Senators Schupp, Libla, Brown, Kraus and Curls.

RESOLUTIONS

Senator Chappelle-Nadal offered Senate Resolution No. 997, regarding Paul Brookman, Bridgeton, which was adopted.

Senator Dempsey offered Senate Resolution No. 998, regarding the death of John Michael Orf, St. Peters, which was adopted.

Senator Sater offered Senate Resolution No. 999, regarding the Fiftieth Wedding Anniversary of Bud and Barbara Thomas, Purdy, which was adopted.

Senator Walsh offered Senate Resolution No. 1000, regarding Joshua M. Crow, which was adopted.

Senator Walsh offered Senate Resolution No. 1001, regarding Calandria Dell Riley, Florissant, which was adopted.

Senator Walsh offered Senate Resolution No. 1002, regarding Eugene Clyde Glenz, Florissant, which was adopted.

Senator Onder offered Senate Resolution No. 1003, regarding Joseph Robert Clarkson, O'Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 1004, regarding Harold Gene Snead, Saint Peters, which was adopted.

Senator Richard offered Senate Resolution No. 1005, regarding Reverend Dr. William J.P. Doubek, III, which was adopted.

Senator Emery offered Senate Resolution No. 1006, regarding Andrew Clay McCullough, which was adopted.

Senator Sater offered Senate Resolution No. 1007, regarding the Sixty-fifth Wedding Anniversary of Pat and Billie Griffin, Neosho, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Sifton introduced to the Senate, Carmel Stewart, Austin Kim, and Chandra Yogeswaren, Auckland, New Zealand.

Senator Riddle introduced to the Senate, Rick Thornton, Christine Smith and Cadets Emran Babak, Maxwell Broughton, D'Cherion Nelson, Charles Eckardt and Joshua Paley, Missouri Military Academy, Mexico, recipients of the silver medal of the Duke of Edinburgh's International Youth Award.

Senator Romine introduced to the Senate, Colleen Strodtman, Potosi.

Senator Dixon introduced to the Senate, students of the St. Joseph's Catholic Academy, Springfield.

Senator Holsman introduced to the Senate, former State Senator Jim Rubeus, Etna, New Hampshire.

Senator Riddle introduced to the Senate, teachers, parents, and sixteen fourth grade students from Kingdom Christian Academy, Fulton.

Senator Riddle introduced to the Senate, staff, and forty students from Missouri Military Academy, Mexico.

Senator Kraus introduced to the Senate, fourth grade students from Franklin Smith Elementary School, Blue Springs.

Senator Schaaf introduced to the Senate, Tony Farmer, and twenty-five fourth grade students from Pershing Elementary School, St. Joseph.

On motion of Senator Richard, the Senate adjourned until 2:00 p.m., Monday, May 4, 2015.

SENATE CALENDAR

SIXTY-SECOND DAY—MONDAY, MAY 4, 2015

FORMAL CALENDAR

VETOED SENATE BILLS

CCS for HCS for SS#2 for SCS for SB 24-Sater

HOUSE BILLS ON SECOND READING

HCS for HB 1048
HCS for HB 513
HB 824-Korman
HCS for HB 122
HCS for HB 479
HB 612-Fitzwater

HCS for HB 530
HB 1054-Spencer
HCS for HB 1044
HCS for HB 207
HCS for HB 565

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)
SCS for SB 56-Munzlinger (In Fiscal Oversight)

SS for SB 201-Dixon (In Fiscal Oversight)
SB 203-Dixon (In Fiscal Oversight)
SB 352-Schaefer (In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

1. HCS for HJR 34, with SCS (Schmitt)
2. HCS for HB 882-McGaugh, with SCS
(Munzlinger) (In Fiscal Oversight)
3. HCS for HB 478-Fitzwater (Wallingford)
4. HCS for HBs 578, 574, & 584, with SCS
(Riddle)
5. HB 401-Fraker, with SCS (Sater)
6. HB 279-Cornejo, with SCS (Schmitt)
7. HB 100-Gosen, with SCS (Parson)
8. HB 1093-Houghton (Riddle)
9. HCS for HB 112 (Wasson)
10. HCS for HB 385
11. HCS for HB 618, with SCS (Wasson)
12. HB 799-Roeber, with SCS (Dixon)
13. HCS for HB 104 (Schaefer)
14. HCS for HB 33, with SCS

15. HB 529-Gosen, with SCS
16. HCS for HB 864 (Holsman)
17. HB 440-Koenig (Kraus)
18. HB 502-Kelley, with SCS
19. HCS for HB 769
20. HB 1070-Davis, with SCS
21. HB 923-Miller, with SCS
22. HCS for HB 714 (Wallingford)
23. HCS for HB 1084
24. HCS for HB 796, with SCS (Sater)
25. HCS for HB 976, with SCS (Sater)
26. HCS for HB 137
27. HB 523-Burlison, with SCS (Brown)
28. HBs 522, 34, 133, 134, 810, 338 &
873-Cookson, with SCS (Libla)

INFORMAL CALENDAR**THIRD READING OF SENATE BILLS**

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

SB 17-Dixon	SB 305-Onder
SB 37-Romine, with SCS & SA 1 (pending)	SB 313-Wallingford, with SCS
SB 44-Nasheed, with SCS, SS for SCS & SA 1 (pending)	SBs 331 & 21-Libla, with SCS & SS for SCS (pending)
SB 46-Holsman	SB 339-Munzlinger, with SS (pending)
SB 53-Schaaf, with SS#2 (pending)	SB 358-Kehoe
SB 55-Munzlinger	SB 360-Parson, with SCS
SB 59-Dixon	SB 371-Munzlinger
SB 69-LeVota, with SCS	SB 372-Keaveny, with SCS (pending)
SB 80-Dixon, with SCS	SB 374-Schatz, with SCS
SB 91-Dixon, with SCS	SB 399-Onder
SBs 112, 212, 143 & 234-Dixon, with SCS	SB 400-Onder, with SS (pending)
SB 117-Brown, with SCS	SB 409-Wallingford, with SCS
SB 127-Brown, with SCS	SB 420-Schmitt
SB 130-Walsh and Schupp, with SCS	SB 424-Pearce, with SA 1 (pending)
SB 151-Sater	SB 427-Sifton, with SCS
SB 159-Parson	SB 432-Onder, with SCS
SB 167-Schaaf, with SCS	SB 442-Schaefer
SB 177-Munzlinger, with SCS	SBs 451, 307, 100 & 165-Dixon, with SCS
SB 220-Kehoe	SB 452-Schmitt, et al, with SA 1 & point of order (pending)
SB 225-Romine, with SCS	SB 455-Kehoe
SB 227-Emery, with SS (pending)	SB 469-Munzlinger
SB 232-Kehoe, with SCS (pending)	SB 471-Schaaf
SB 233-Kehoe, with SCS & SA 2 (pending)	SB 481-Onder, with SCS
SB 266-Schaefer, with SCS	SB 520-Kehoe, with SCS
SB 267-Schaefer, with SCS	SB 528-Sater
SB 268-Pearce, with SCS	SB 567-Chappelle-Nadal, et al
SB 286-Schaaf and Silvey	SJR 7-Richard and Wallingford
SB 299-Pearce	SJR 12-Onder, with SCS (pending)
SB 302-Riddle, with SCS (pending)	
SB 304-Keaveny, with SCS	

HOUSE BILLS ON THIRD READING

HB 92-Miller (Kehoe)	SS for SCS for HB 556-Wood (Riddle)
HB 108-McCaherty (Dixon)	(In Fiscal Oversight)
HB 190-Swan (Wallingford)	HB 589-Hough, with SCS (Onder)
HB 271-Hoskins (Dixon)	HCS for HB 709, with SCS (Parson)
HCS for HB 299, with SCS (Kraus)	HCS for HB 722, with SS & point of order
HB 336-McGaugh (Kraus)	(pending) (Kehoe)
HCS for HBs 517 & 754, with SS for SCS,	HCS for HB 777 (Kraus)
as amended (Kraus)	HB 836-Ross (Libla)
HB 533-Dugger, with SCS (Wasson)	HJR 1-Dugger (Kraus)

CONSENT CALENDAR**House Bills****Reported 4/9**

HB 125-Black (Romine)

Reported 4/15

HB 41-Wood, with SCS (Kehoe)	HB 874-Remole (Munzlinger)
HB 511-Mathews (Schatz)	HB 1116-Rehder (Libla)
HB 88-Walton Gray (Walsh)	HB 1119-Redmon (Hegeman)
HB 326-Leara (Kehoe)	HB 1052-Miller (Wasson)
HB 361-Spencer (Riddle)	HB 1098-Crawford, with SCS (Kraus)
HB 400-Peters (Walsh)	HB 391-Gosen (Parson)
HB 402-Phillips (Sater)	HB 343-Lair, with SCS (Wieland)
HB 403-Phillips, with SCS (Sater)	HB 947-Wiemann, with SCS (Wallingford)
HB 404-Phillips (Sater)	HB 179-Chipman (Brown)
HB 567-Dunn (Curls)	HB 269-Miller (Kehoe)
HB 778-Ruth (Romine)	HB 650-Cornejo (Schaefer)
HB 859-Dunn (Curls)	HB 869-Solon (Schatz)
HB 861-Fitzwater (49) (Wasson)	

SENATE BILLS WITH HOUSE AMENDMENTS

SB 221-Schatz, with HCS	SCS for SB 336-Kraus, with HCS
SB 244-Schmitt, with HCS	

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS for SCS for SB 5-Schmitt, with HCS,
as amended
SS#2 for SCS for SB 11-Richard, with HA 1,
HA 2, as amended, HA 3, as
amended & HA 4
SS for SCS for SB 67-Cunningham, with
HCS, as amended
SB 104-Kraus, with HCS, as amended
(House grants further conference)
SCS for SB 152-Wallingford, with HCS, as
amended (CCR Offered)
SB 254-Kraus, with HCS, as amended

SCS for SB 270-Nasheed, with HCS, as
amended
SB 282-Parson, with HCS, as amended
SB 283-Kehoe, with HCS, as amended
SB 446-Schupp and Brown, with HA 1 & HA 2,
as amended
SCS for SB 473-Schaaf, with HCS, as
amended
HCS for HB 42 with SCS, as amended
(Pearce)
HB 458-Allen, with SS for SCS, as
amended (Schmitt)

Requests to Recede or Grant Conference

SS for SCS for SB 115-Kraus, with HCS,
as amended (Senate requests House
recede or grant conference)
SCS for SB 172-Romine, with HCS, as
amended (Senate requests House
recede or grant conference)
SCS for SB 300-Silvey, with HCS, as
amended (Senate requests House
recede or grant conference)

SCS for SB 445-Romine, with HCS, as
amended (Senate requests House
recede or grant conference)
HB 152-Haahr, with SCS, as amended
(Onder) (House requests Senate
recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 39-Dixon and Holsman
SCR 40-Romine
HCR 18-McCann (Curls)

HCR 26-Shull
HCS for HCR 32 (Romine)
HCR 34-Rowland (Cunningham)

Journal of the Senate

FIRST REGULAR SESSION

SIXTY-SECOND DAY—MONDAY, MAY 4, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“But I will sing of your might; I will sing aloud of your steadfast love in the morning. For you have been a fortress for me and a refuge in the day of my distress.” (Psalm 59:16)

We give You thanks for another great spring day and the message it sends us. We walk about Your creation and watch the birds’ eggs hatching; we see the geese swim as a family and the families of deer run through the forest and we are set free from doubts and care. For although life is not always filled with joy and happiness we know Your creation is in Your hand and life is affirmed. And, so we give thanks to be here to the work You have called us to be about seeking to protect the people we serve. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

The Journal for Thursday, April 30, 2015 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 1008, regarding Everett Leslie Bay, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1009, regarding Emily Hurd, which was adopted.

Senator Sifton offered Senate Resolution No. 1010, regarding Harry K. Murphy, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 1011, regarding Riley Thomas Callahan, Saint Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1012, regarding Austin Dazey, Wildwood, which was adopted.

Senator Schmitt offered Senate Resolution No. 1013, regarding Alex Thrasher, which was adopted.

Senator Walsh offered Senate Resolution No. 1014, regarding the Forty-fifth Wedding Anniversary of Mr. and Mrs. Albert Hauswirth, Florissant, which was adopted.

Senator Hegeman offered Senate Resolution No. 1015, regarding Mark Rosewell, which was adopted.

Senator Hegeman offered Senate Resolution No. 1016, regarding the Fiftieth Wedding Anniversary of Rick and Marilyn Ripple, Gallatin, which was adopted.

Senator Hegeman offered Senate Resolution No. 1017, regarding the Fiftieth Wedding Anniversary of Francis and Barbara Bohart, Mound City, which was adopted.

Senator Hegeman offered Senate Resolution No. 1018, regarding the Fiftieth Wedding Anniversary of David and Carol Powell, Stewartsville, which was adopted.

Senator Hegeman offered Senate Resolution No. 1019, regarding Nicholas Woodson Gass, which was adopted.

Senator Emery offered Senate Resolution No. 1020, regarding the Pleasant Hill High School Pride of the Hill Band, which was adopted.

Senator Kehoe offered Senate Resolution No. 1021, regarding James Steven “Jamie” Porter, Russellville, which was adopted.

Senator Schmitt offered Senate Resolution No. 1022, regarding Bryan Painter, which was adopted.

Senator Romine offered Senate Resolution No. 1023, regarding Patricia Cassidy, which was adopted.

Senator Romine offered Senate Resolution No. 1024, regarding Carla R. Mangan, Festus, which was adopted.

Senator Romine offered Senate Resolution No. 1025, regarding Linda Porter, De Soto, which was adopted.

Senator Romine offered Senate Resolution No. 1026, regarding Herman J. Meyer, which was adopted.

Senator Romine offered Senate Resolution No. 1027, regarding Linda Bollinger, which was adopted.

Senator Romine offered Senate Resolution No. 1028, regarding Harold Isaac Gibson, De Soto, which was adopted.

Senator Romine offered Senate Resolution No. 1029, regarding Steven Davis, which was adopted.

Senator Kehoe offered Senate Resolution No. 1030, regarding William Parker Watkins, Jefferson City, which was adopted.

Senator Pearce offered Senate Resolution No. 1031, regarding Mel Fetter, Lexington, which was adopted.

Senator Schmitt offered Senate Resolution No. 1032, regarding William “Bill” Bolster, Creve Coeur, which was adopted.

Senator Onder offered Senate Resolution No. 1033, regarding Krista Woodward, Boston, Massachusetts, which was adopted.

Senator LeVota offered Senate Resolution No. 1034, regarding Dr. Mark Enderle, which was adopted.

Senator Kehoe assumed the Chair.

PRIVILEGED MOTIONS

Senator Wallingford moved that the Senate refuse to adopt the conference committee report on **HCS** for **SCS** for **SB 152**, as amended, and request the House grant further conference, which motion prevailed.

VETOED BILLS

Senator Sater moved that **CCS** for **HCS** for **SS No. 2** for **SCS** for **SB 24** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson

Wieland—25

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	LeVota	Nasheed	Schupp	Sifton
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Walsh—9

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Pearce assumed the Chair.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 282**, as amended: Senators Parson, Libla, Wieland, LeVota and Curls.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 180**, entitled:

An Act to repeal section 311.310, RSMo, and to enact in lieu thereof three new sections relating to alcohol, with penalty provisions and an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1179**, entitled:

An Act to repeal sections 49.060, 51.090, 53.010, 54.033, 55.050, 58.040, 59.022, 105.030, 473.730, and 483.020, RSMo, and to enact in lieu thereof eleven new sections relating to public office vacancies, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1330**, entitled:

An Act to repeal section 535.300, RSMo, and to enact in lieu thereof one new section relating to rental agreements.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 12**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 116**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 156**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto three new sections relating to highway designations.

With House Amendment Nos. 1, 2, 4 and 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 156, Page 1, Section 227.423, Line 5, by inserting after said line the following:

“227.428. The portion of Business Highway 71 from the Interstate 29 intersection traveling north for two miles and located in Andrew County shall be designated as the “Randy Bever Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway with the cost for such designation to be paid by private donation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 156, Page 1, Section 227.380, Line 4, by inserting immediately after said line the following:

“227.417. The portion of U.S. Highway 160 in Ozark County from the bridge that crosses Bryant Creek to a location two and one-half miles east of such bridge shall be known as the “Jerry Corp Memorial Highway”. The costs for such designation shall be paid by private donations.”; and

Further amend said bill and page, Section 227.423, Line 5, by inserting immediately after said line the following:

“227.523. The bridge on Highway CC crossing over North Fork White River in Ozark County shall be designated the “Irwin C. Cudworth Memorial Bridge”. The department of transportation shall erect and maintain appropriate signs designating such bridge, with the costs of such designation to be paid for by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 156, Page 1, Section 227.423, Line 5, by inserting immediately after all of said section the following:

“227.524. The portion of Highway 10 from the western border of the city limits of Norborne in Carroll County to the eastern border of the city limits of Hardin in Ray County shall be designated the “Ray-Carroll County Veterans Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway with costs to be paid by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 156, Page 1, Section 227.525, Line 4, by inserting immediately after all of said line and section the following:

“227.526. The portion of Highway 54 from the Grand Glaize Bridge in Camden County to Key Largo Road in Camden County shall be designated the “Veterans Memorial Expressway”. The department of transportation shall erect and maintain appropriate signs designating such highway with costs to be paid by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 282**, as amended. Representatives: Shull, Gosen, Hill, McNeil and Colona.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 13**, entitled:

An Act to repeal section 178.550, RSMo, and to enact in lieu thereof two new sections relating to career and technical education.

With House Amendment Nos. 1, 2, 3 and 4

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 13, Page 1, In the Title, Lines 2 and 3, by deleting the words “career and technical” and inserting in lieu thereof the words “elementary and secondary”; and

Further amend said bill and page, Section A, Line 2, by inserting immediately after all of said line and section the following:

“161.1010. 1. There is hereby established the “Missouri Course Access Program” to allow public school students to enroll in online, blended, and face-to-face courses to supplement coursework offered at the school where the student is enrolled. The Missouri course access program is separate and distinct from the virtual online school program established under section 161.670 and shall not be considered part of the virtual online school program for any purpose.

2. For purposes of sections 161.1010 to 161.1020, the following terms mean:

(1) “Course provider”, an entity authorized by the department of elementary and secondary education to offer individual courses in person, online, or a combination of the two, including but not limited to online education providers, public or private elementary and secondary education institutions, education service agencies, private for profit or not-for-profit providers, postsecondary education institutions, and vocational or technical course providers;

(2) “Department”, the department of elementary and secondary education;

(3) “Eligible funded student”, any eligible participating student who is currently enrolled in a public school, including a public charter school;

(4) “Eligible participating student”, any K-12 student who resides in the state;

(5) “Local education agency”, a public authority legally constituted by the state as an administrative agency to provide control and direction for kindergarten through twelfth grade public educational institutions, including public charter schools;

(6) “State course access catalog”, the website developed for the department of elementary and secondary education that provides a listing of all courses authorized and available to students in the state, detailed information about the courses to inform student enrollment decisions, and the ability for students to submit their course enrollments;

(7) “State course access program” or “program”, the program created under sections 161.1010 to 161.1020.

161.1011. 1. Any eligible participating student may enroll in state course access program courses with the approval of such student’s guidance counselor, as provided under subsection 3 of this section. An eligible funded student may enroll in state course access program courses that are funded by the program up to a maximum of seven credit hours per semester.

2. The families of eligible funded students and other eligible participating students may pay to enroll in state course access program courses above the maximum seven-credit hour limit specified in subsection 1 of this section.

3. Prior to enrolling in any state course access program course, a student shall first receive approval from his or her guidance counselor. Guidance counselors shall approve or disapprove a student’s request to enroll based on the counselor’s assessment of whether participation in the program and enrollment in a particular course is in the student’s best interest. The department shall develop a procedure under which a student may appeal the decision of a guidance counselor made under the provisions of this section.

4. The local education agency where eligible funded students are enrolled full time may review enrollment requests to ensure courses are academically appropriate, logistically feasible, keep the student on track for an on-time graduation, and do not extend a student beyond a full-time course load. The local education agency may only reject enrollment requests for those reasons.

5. Local education agencies shall inform students and families of their right to appeal any enrollment denials in state course access program courses to the department, which shall provide a final enrollment decision within seven calendar days.

161.1012. 1. The department shall:

(1) Establish an authorization process for course providers that includes multiple opportunities for submission each year;

(2) Not later than ninety calendar days from initial submission date, authorize course providers that:

(a) Meet the criteria established under section 161.1013; and

(b) Provide courses which offer the instructional rigor and scope required under section 161.1013; and

(3) Not later than ninety calendar days from initial submission date, provide a written explanation to any course providers that are denied.

2. If a course provider is denied authorization, the provider may reapply in the future.

3. The department shall publish the process established under this section, including any deadlines and any guidelines applicable to the submission and authorization process for providers.

4. If the department determines that there are insufficient funds available for evaluating and authorizing course providers, the department may charge applicant providers a fee up to but no greater than the amount of the costs in order to ensure that evaluation occurs. The department shall establish and publish a fee schedule for purposes of this subsection.

161.1013. 1. To be authorized to offer a course through the state course access program, a provider shall:

(1) Comply with all applicable anti-discrimination provisions as well as applicable state and federal student data privacy provisions such as the Family Educational Rights and Privacy Act (FERPA);

(2) Provide an assurance that all online information and resources for online or blended courses are fully accessible for students of all abilities, including that:

(a) All of the courses submitted for approval are reviewed to ensure they meet legal accessibility standards;

(b) The provider has created and promulgated an Accessibility Online Learning Policy;

(c) The provider has designated an ADA Coordinator, a grievance policy, and annual notifications;

(d) The provider has policies and activities to ensure their organizational and course websites meet accessibility requirements; and

(e) The provider has no gateway exam or test where a specific score is required to participate in course access program courses beyond completion of prerequisite coursework or demonstrated mastery of prerequisite material;

(3) Demonstrate either:

(a) Prior evidence of delivering quality outcomes for students as demonstrated by completion rates, student level growth, proficiency, or other quantifiable outcomes; or

(b) For course providers applying to offer a subject or grade level for the first time, provide a detailed justification, in a manner determined by the department, of how their organization's subject matter, instructional, or technical expertise will lead to successful outcomes for students;

(4) Ensure instructional and curricular quality through a detailed curriculum and student performance accountability plan that aligns with, and measures student attainment of, relevant state academic standards or other relevant standards in courses without state academic standards;

(5) Provide assurances that the course provider shall electronically provide, in a manner and format determined by the department, a detailed student record of enrollment, performance, completion, and grading information with the school systems where eligible participating students are enrolled full time.

2. Additional criteria developed by the department shall be used to evaluate providers and may include nationally recognized third-party quality standards.

161.1014. 1. The department shall establish a course review and approval process. The process may be implemented by the department or by an entity designated by the department.

2. In order to be approved and added to the state course access catalog, a course shall:

(1) Be, at a minimum, the equivalent in instructional rigor and scope to a course that is provided in a traditional classroom setting;

(2) Be aligned to relevant state academic standards or industry standards;

(3) Possess an assessment component for determining student proficiency, as well as student growth where applicable; and

(4) Be designed and implemented consistently with criteria established by the department and nationally recognized third-party quality standards.

3. The department may negotiate changes in the proposal to offer a course, if the department determines that changes are necessary in order to authorize the course.

161.1015. 1. The initial authorization of the course provider and approved courses shall be for a period of three years.

2. Providers shall annually report, in such a manner as directed by the department:

(1) Student enrollment data;

(2) Student outcomes, growth measures when available, proficiency rates, and completion rates for each subject area and grade level; and

(3) Student and parental feedback on overall satisfaction and quality, including availability of support from teachers, and their comments.

3. After the second year of the initial authorization period, the department shall conduct a thorough review of the course provider's activities and the academic performance of the students enrolled in courses offered by the course provider.

4. If the performance of the students enrolled in courses offered by the course provider does not meet agreed upon performance standards at any time, the course provider shall be placed on probation and required to submit a plan for improvement to the department. The department shall establish terms of probation and develop specific criteria the provider must meet in order to return to good standing. Course providers shall be given at least sixty days to meet the terms of probation. Determinations as to whether the provider has met the conditions of probation shall be at the sole discretion of the department. If the department determines that the provider has failed to meet the conditions of probation within the time frame established by the department, the department may terminate the provider's status. Course providers who are terminated by the department under the provisions of this subsection shall be ineligible for reinstatement as a course provider for two years from the time the provider's status was revoked.

5. After the initial three-year authorization period, the department may reauthorize the course provider for additional periods of not less than three years after thorough review of the course provider's activities and the achievement of students enrolled in courses offered by the course provider.

6. The department may exclude a course provided by an authorized provider at any time if the department determines that:

- (1) The course is no longer adequately aligned with the state academic standards;**
- (2) The course no longer provides a detailed and quality curriculum and accountability plan; or**
- (3) The course fails to deliver outcomes as measured by course completion or student outcomes and performance on state or nationally accepted assessments.**

161.1016. The department may enter into a reciprocity agreement with other states for the purpose of authorizing and approving high quality providers and courses for the state course access program and the operation of the state course access catalog.

161.1017. 1. The department shall:

(1) Publish the criteria required by section 161.1013 for courses that may be offered through the state course access program;

(2) Be responsible for creating the state course access catalog; the department may enter into an agreement with other states or organizations to develop or operate one or more aspects of the state course access catalog and state course access program;

(3) Publish a link to the state course access catalog in a prominent location on the department's website, which includes a listing of courses offered by authorized providers available through the state course access program, a detailed description of the courses, and any available student completion and outcome data; and

(4) Establish and publish a time frame or specific dates by which students are able to withdraw from a course provided through the state course access program without the student, local education agency, or course provider incurring a penalty.

2. The department shall maintain on its official website in a prominent location an informed choice report. Each report under this section shall:

(1) Be updated within thirty calendar days of additional provider authorizations;

(2) Describe each course offered through the state course access program and include information such as course requirements and the school year calendar for the course, including any options for continued participation outside of the standard school year calendar;

(3) Include student and parental comments and feedback as detailed under section 161.1014; and

(4) Be published online in an open format that can be retrieved, downloaded, indexed, and searched by commonly used web search applications.

3. The department shall submit an annual report on the state course access program and the participation of entities to the governor, and the chairperson and vice-chairperson of the joint committee on education. The report shall at a minimum include the following information:

(1) The annual number of unique students participating in courses authorized under this sections 161.1010 to 161.1020 and the total number of courses students are enrolled in;

(2) The number of authorized providers;

(3) The number of authorized courses and the number of students enrolled in each course;

(4) The number of courses available by subject and grade level;

(5) The number of students enrolled in courses by subject and grade level;

(6) Student outcome data, including completion rates, student learning gains, student performance on state or nationally accepted assessments, by subject and grade level by provider. This outcome data should be published in a manner that protects student privacy; and

(7) The department shall note any data that is not yet available at the time of publication and when it will become available, and include that data in future reports.

4. The report and underlying data shall be published online in an open format that can be retrieved, downloaded, indexed, and searched by commonly used web search applications.

5. For purposes of this section, an “open format” is one that is platform independent, machine readable, and made available to the public without restrictions that would impede the reuse of that information.

161.1018. 1. A school district or charter school shall:

(1) Notify students and parents as part of any course enrollment period or process of the availability of state course access program courses in correspondence that is written in simple and accurate language;

(2) Provide information by letter or email to students and parents at home and by at least two other means, such as community flyers, newspaper postings, on student report cards, or other methods;

(3) Publish information and eligibility guidelines on the school and school district’s websites.

2. Each local school system shall establish policies and procedures whereby, for each eligible participating student as identified in section 161.1011, the following shall apply:

(1) Credits earned through the course provider shall appear on each student’s official transcript and count fully towards the requirements of any approved state diploma; and

(2) Coordinate with course providers to ensure that required state assessments are administered to each such student attending a public school.

3. The performance data of students who are enrolled in a course under sections 161.1010 to 161.1020 and in accordance with subsection 1 of this section shall be counted in the school performance score for the school in which the student is enrolled full time.

4. Nothing in sections 161.1010 to 161.1020 shall be construed to prevent a school entity from establishing its own online course or program in accordance with sections 161.1010 to 161.1020.

5. The department shall adopt rules necessary to implement sections 161.1010 to 161.1020, including but not limited to the requirements of school governing authorities or local school systems whose students enroll in courses offered by authorized course providers. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers

vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.

161.1019. 1. Per-course tuition shall be determined as follows:

(1) The course provider shall receive per-course tuition for each eligible funded student at a fair and reasonable rate negotiated by the department and the course provider that is inclusive of all required course materials. Determinations of course prices may take into account prices for similar levels of service in other jurisdictions. Funding for courses in which students are enrolled shall be made by the department to the local education agency where the student is enrolled full time; within ninety days of receiving funding from the department, the local education agency shall remit appropriate payment to the authorized course provider;

(2) The course provider shall receive payment from the local education agency only for the courses in which an eligible funded student is enrolled; the remaining funds received from the department by the local education agency shall remain with the local education agency in which the student is enrolled full time;

(3) The course provider shall accept the amount specified in subdivision (1) of this subsection as total tuition and fees for the eligible funded student;

(4) The course provider may charge tuition to any eligible participating student up to an amount determined by the course provider and department.

2. Payment of tuition to course providers shall be based upon student success and made as follows:

(1) Fifty percent of the amount of tuition to be paid or transferred to the course provider shall be transferred upon student enrollment in a course and fifty percent shall be dependent upon student success in the course. Student success may initially be measured based on course completion, but the department shall create new measures of student success by Year 3 for use in courses where externally validated measures are available. These measures of student outcomes, based on either proficiency or growth, shall include results from independent end-of-course exams, advanced placement exams, receipt of industry recognized credentials, receipt of credit from institutions of higher education, or other externally validated measures;

(2) Partial payments for delayed completions shall be determined as follows: if a student does not successfully complete a course according to the published course length in which the course provider has received the first payment under subsection 1 of this section, the provider shall receive twenty percent of the tuition that is dependent upon student success as defined in subsection 1 of this section only if the student completes and receives credit for the course within one additional semester. At that point, remaining tuition shall be returned to the local education agency where a student is enrolled full time.

161.1020. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under sections 161.1010 to 161.1020 shall automatically sunset six years after the effective date of sections 161.1010 to 161.1020 unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under sections 161.1010 to 161.1020

shall automatically sunset twelve years after the effective date of the reauthorization of sections 161.1010 to 161.1020; and

(3) Sections 161.1010 to 161.1020 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 161.1010 to 161.1020 is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 13, Page 1, Section A, Line 2, by inserting after all of said line the following:

“162.720. 1. Where a sufficient number of children are determined to be gifted and their development requires programs or services beyond the level of those ordinarily provided in regular public school programs, districts may establish special programs for such gifted children.

2. The state board of education shall determine standards for such programs. Approval of such programs shall be made by the state department of elementary and secondary education based upon project applications submitted by July fifteenth of each year.

3. No district shall make a determination as to whether a child is gifted based on the child’s participation in an advanced placement course or international baccalaureate course. Districts shall only determine a child is gifted if the child meets the definition of “gifted children” as provided in section 162.675.

163.031. 1. The department of elementary and secondary education shall calculate and distribute to each school district qualified to receive state aid under section 163.021 an amount determined by multiplying the district’s weighted average daily attendance by the state adequacy target, multiplying this product by the dollar value modifier for the district, and subtracting from this product the district’s local effort and, in years not governed under subsection 4 of this section, subtracting payments from the classroom trust fund under section 163.043.

2. Other provisions of law to the contrary notwithstanding:

(1) For districts with an average daily attendance of more than three hundred fifty in the school year preceding the payment year:

(a) For the 2006-07 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of one-third multiplied by the remainder of the dollar value modifier minus one, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(b) For the 2007-08 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of two-

thirds multiplied by the remainder of the dollar value modifier minus one, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(c) For the 2008-09 school year, the state revenue per weighted average daily attendance received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier, and dividing this product by the weighted average daily attendance computed for the 2005-06 school year;

(d) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (c) of this subdivision, multiplied by the weighted average daily attendance pursuant to section 163.036, less any increase in revenue received from the classroom trust fund under section 163.043;

(2) For districts with an average daily attendance of three hundred fifty or less in the school year preceding the payment year:

(a) For the 2006-07 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of one-third multiplied by the remainder of the dollar value modifier minus one;

(b) For the 2007-08 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one plus the product of two-thirds multiplied by the remainder of the dollar value modifier minus one;

(c) For the 2008-09 school year, the state revenue received by a district from the state aid calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value modifier;

(d) For each year subsequent to the 2008-09 school year, the amount shall be no less than that computed in paragraph (c) of this subdivision;

(3) The department of elementary and secondary education shall make an addition in the payment amount specified in subsection 1 of this section to assure compliance with the provisions contained in this subsection.

3. School districts that meet the requirements of section 163.021 shall receive categorical add-on revenue as provided in this subsection. The categorical add-on for the district shall be the sum of: seventy-five percent of the district allowable transportation costs under section 163.161; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the vocational education entitlement for the district, as provided for in section 167.332; and the district educational and screening program entitlements as provided for in sections 178.691 to 178.699. The categorical add-on revenue

amounts may be adjusted to accommodate available appropriations.

4. In the 2006-07 school year and each school year thereafter for five years, those districts entitled to receive state aid under the provisions of subsection 1 of this section shall receive state aid in an amount as provided in this subsection.

(1) For the 2006-07 school year, the amount shall be fifteen percent of the amount of state aid calculated for the district for the 2006-07 school year under the provisions of subsection 1 of this section, plus eighty-five percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(2) For the 2007-08 school year, the amount shall be thirty percent of the amount of state aid calculated for the district for the 2007-08 school year under the provisions of subsection 1 of this section, plus seventy percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(3) For the 2008-09 school year, the amount of state aid shall be forty-four percent of the amount of state aid calculated for the district for the 2008-09 school year under the provisions of subsection 1 of this section plus fifty-six percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(4) For the 2009-10 school year, the amount of state aid shall be fifty-eight percent of the amount of state aid calculated for the district for the 2009-10 school year under the provisions of subsection 1 of this section plus forty-two percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(5) For the 2010-11 school year, the amount of state aid shall be seventy-two percent of the amount of state aid calculated for the district for the 2010-11 school year under the provisions of subsection 1 of this section plus twenty-eight percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(6) For the 2011-12 school year, the amount of state aid shall be eighty-six percent of the amount of state aid calculated for the district for the 2011-12 school year under the provisions of subsection 1 of this section plus fourteen percent of the total amount of state revenue received by the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

(7) (a) [a.] For the 2006-07 school year, if a school district experiences a decrease in summer school average daily attendance of more than twenty percent from the district's 2005-06 summer school average daily attendance, an amount equal to the product of the percent reduction that is in excess of twenty percent of the district's summer school average daily attendance multiplied by the funds generated by the district's summer school program in the 2005-06 school year shall be subtracted from the district's current year payment amount.

[b.] (b) For the 2007-08 school year, if a school district experiences a decrease in summer school

average daily attendance of more than thirty percent from the district's 2005-06 summer school average daily attendance, an amount equal to the product of the percent reduction that is in excess of thirty percent of the district's summer school average daily attendance multiplied by the funds generated by the district's summer school program in the 2005-06 school year shall be subtracted from the district's payment amount.

[c.] (c) For the 2008-09 school year, if a school district experiences a decrease in summer school average daily attendance of more than thirty-five percent from the district's 2005-06 summer school average daily attendance, an amount equal to the product of the percent reduction that is in excess of thirty-five percent of the district's summer school average daily attendance multiplied by the funds generated by the district's summer school program in the 2005-06 school year shall be subtracted from the district's payment amount.

[d.] (d) Notwithstanding the provisions of this [paragraph] **subdivision**, no such reduction shall be made in the case of a district that is receiving a payment under section 163.044 or any district whose regular school term average daily attendance for the preceding year was three hundred fifty or less.

[e.] (e) This [paragraph] **subdivision** shall not be construed to permit any reduction applied under this [paragraph] **subdivision** to result in any district receiving a current-year payment that is less than the amount calculated for such district under subsection 2 of this section.

[(b) If a school district experiences a decrease in its gifted program enrollment of more than twenty percent from its 2005-06 gifted program enrollment in any year governed by this subsection, an amount equal to the product of the percent reduction in the district's gifted program enrollment multiplied by the funds generated by the district's gifted program in the 2005-06 school year shall be subtracted from the district's current year payment amount.]

5. For any school district meeting the eligibility criteria for state aid as established in section 163.021, but which is considered an option district under section 163.042 and therefore receives no state aid, the commissioner of education shall present a plan to the superintendent of the school district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the operations of the district and to enhance and encourage efficiency in the delivery of instructional services as provided in section 163.042.

6. (1) No less than seventy-five percent of the state revenue received under the provisions of subsections 1, 2, and 4 of this section shall be placed in the teachers' fund, and the remaining percent of such moneys shall be placed in the incidental fund. No less than seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 shall be placed in the teachers' fund. One hundred percent of revenue received under the provisions of section 163.161 shall be placed in the incidental fund. One hundred percent of revenue received under the provisions of sections 168.500 to 168.515 shall be placed in the teachers' fund.

(2) A school district shall spend for certificated compensation and tuition expenditures each year:

(a) An amount equal to at least seventy-five percent of the state revenue received under the provisions of subsections 1, 2, and 4 of this section;

(b) An amount equal to at least seventy-five percent of one-half of the funds received from the school district trust fund distributed under section 163.087 during the preceding school year; and

(c) Beginning in fiscal year 2008, as much as was spent per the second preceding year's weighted average daily attendance for certificated compensation and tuition expenditures the previous year from

revenue produced by local and county tax sources in the teachers' fund, plus the amount of the incidental fund to teachers' fund transfer calculated to be local and county tax sources by dividing local and county tax sources in the incidental fund by total revenue in the incidental fund.

In the event a district fails to comply with this provision, the amount by which the district fails to spend funds as provided herein shall be deducted from the district's state revenue received under the provisions of subsections 1, 2, and 4 of this section for the following year, provided that the state board of education may exempt a school district from this provision if the state board of education determines that circumstances warrant such exemption.

7. (1) If a school district's annual audit discloses that students were inappropriately identified as eligible for free and reduced lunch, special education, or limited English proficiency and the district does not resolve the audit finding, the department of elementary and secondary education shall require that the amount of aid paid pursuant to the weighting for free and reduced lunch, special education, or limited English proficiency in the weighted average daily attendance on the inappropriately identified pupils be repaid by the district in the next school year and shall additionally impose a penalty of one hundred percent of such aid paid on such pupils, which penalty shall also be paid within the next school year. Such amounts may be repaid by the district through the withholding of the amount of state aid.

(2) Beginning in the 2016-2017 school year and in each school year after that, if a district experiences a decrease in its gifted program enrollment of twenty percent or more from the previous school year, an amount equal to the product of the difference between the number of students enrolled in the gifted program in the current school year and the number of students enrolled in the gifted program in the previous school year multiplied by six hundred eighty dollars shall be subtracted from the district's current year payment amount.

8. Notwithstanding any provision of law to the contrary, in any fiscal year during which the total formula appropriation is insufficient to fully fund the entitlement calculation of this section, the department of elementary and secondary education shall adjust the state adequacy target in order to accommodate the appropriation level for the given fiscal year. In no manner shall any payment modification be rendered for any district qualified to receive payments under subsection 2 of this section based on insufficient appropriations.”; and

Further amend said bill, Page 4, Section 178.550, Line 87, by inserting after all of said line the following:

“Section B. Section 163.031 of Section A of this act shall become effective July 1, 2016.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 13, Page 1, In the Title, Lines 2-3, by deleting the words “career and technical”; and

Further amend said bill and page, Section A, Line 2, by inserting immediately after all of said line and section the following:

“162.203. 1. Board members initially elected or appointed under section 162.291, 162.459, 162.471, or 162.581 after August 28, 1993, in addition to the qualifications prescribed in those sections, shall successfully complete orientation and training requirements within one year of the date of the election or

appointment. The orientation and training shall consist of at least sixteen hours with the cost of such training to be paid by the district.

2. All programs providing the orientation and training required under the provisions of this section shall be offered by a statewide association organized for the benefit of members of boards of education or be approved by the state board of education.

3. Any funding appropriated to the department of elementary and secondary education for the purposes of school board training reimbursement shall be distributed to all statewide organizations that received state funding for school board training in fiscal year 2013.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 13, Page 1, In the Title, Lines 2 and 3, by deleting the words “career and technical”; and

Further amend said bill, Page 2, Section 170.029, Line 25, by inserting immediately after all of said line and section the following:

“173.1101. The financial assistance program established under sections 173.1101 to 173.1107 shall be hereafter known as the “Access Missouri Financial Assistance Program”. The coordinating board and all approved private, [and] public, **and virtual** institutions in this state shall refer to the financial assistance program established under sections 173.1101 to 173.1107 as the access Missouri student financial assistance program in their scholarship literature, provided that no institution shall be required to revise or amend any such literature to comply with this section prior to the date such literature would otherwise be revised, amended, reprinted or replaced in the ordinary course of such institution’s business.

173.1102. As used in sections 173.1101 to 173.1107, unless the context requires otherwise, the following terms mean:

- (1) “Academic year”, the period from July first of any year through June thirtieth of the following year;
- (2) “Approved private institution”, a nonprofit institution, dedicated to educational purposes, located in Missouri which:
 - (a) Is operated privately under the control of an independent board and not directly controlled or administered by any public agency or political subdivision;
 - (b) Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a certificate or degree;
 - (c) Meets the standards for accreditation as determined by either the Higher Learning Commission or by other accrediting bodies recognized by the United States Department of Education or by utilizing accreditation standards applicable to nondegree-granting institutions as established by the coordinating board for higher education;
 - (d) Does not discriminate in the hiring of administrators, faculty and staff or in the admission of students on the basis of race, color, religion, sex, or national origin and is in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto. Sex discrimination as used herein shall not apply to admission practices of institutions offering the enrollment limited to one sex;

(e) Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source;

(3) “Approved public institution”, an educational institution located in Missouri which:

(a) Is directly controlled or administered by a public agency or political subdivision;

(b) Receives appropriations directly or indirectly from the general assembly for operating expenses;

(c) Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a degree or certificate;

(d) Meets the standards for accreditation as determined by either the Higher Learning Commission, or if a public community college created under the provisions of sections 178.370 to 178.400 meets the standards established by the coordinating board for higher education for such public community colleges, or by other accrediting bodies recognized by the United States Department of Education or by utilizing accreditation standards applicable to the institution as established by the coordinating board for higher education;

(e) Does not discriminate in the hiring of administrators, faculty and staff or in the admission of students on the basis of race, color, religion, sex, or national origin and is otherwise in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto;

(f) Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source;

(4) **“Approved virtual institution”, an educational institution that meets all of the following requirements:**

(a) Is recognized as a qualifying institution by gubernatorial executive order issued prior to August 28, 2015, and through a memorandum of understanding between the state of Missouri and the approved virtual institution;

(b) Is organized as a nonprofit institution;

(c) Is accredited by a regional accrediting agency recognized by the United States Department of Education;

(d) Has established and continuously maintains a physical campus or location of operation within the state of Missouri;

(e) Maintains at least twenty-five full-time Missouri employees, at least one-half of which shall be faculty or administrators engaged in Missouri operations;

(f) Enrolls at least one thousand Missouri residents as degree or certificate seeking students; and

(g) Maintains a governing body or advisory board based in Missouri with oversight of Missouri operations.

(5) “Coordinating board”, the coordinating board for higher education;

[[5]] (6) “Expected family contribution”, the amount of money a student and family should pay toward the cost of postsecondary education as calculated by the United States Department of Education and reported on the student aid report or the institutional student information record;

[[6]] (7) “Financial assistance”, an amount of money paid by the state of Missouri to a qualified

applicant under sections 173.1101 to 173.1107;

[(7)] **(8)** “Full-time student”, an individual who is enrolled in and is carrying a sufficient number of credit hours or their equivalent at an approved private, [or] public, **or virtual** institution to secure the degree or certificate toward which he or she is working in no more than the number of semesters or their equivalent normally required by that institution in the program in which the individual is enrolled. This definition shall be construed as the successor to subdivision (7) of section 173.205 for purposes of eligibility requirements of other financial assistance programs that refer to section 173.205.

173.1104. 1. An applicant shall be eligible for initial or renewed financial assistance only if, at the time of application and throughout the period during which the applicant is receiving such assistance, the applicant:

- (1) Is a citizen or a permanent resident of the United States;
- (2) Is a resident of the state of Missouri, as determined by reference to standards promulgated by the coordinating board;
- (3) Is enrolled, or has been accepted for enrollment, as a full-time undergraduate student in an approved private, [or] public, **or virtual** institution; and
- (4) Is not enrolled or does not intend to use the award to enroll in a course of study leading to a degree in theology or divinity.

2. If an applicant is found guilty of or pleads guilty to any criminal offense during the period of time in which the applicant is receiving financial assistance, such applicant shall not be eligible for renewal of such assistance, provided such offense would disqualify the applicant from receiving federal student aid under Title IV of the Higher Education Act of 1965, as amended.

3. Financial assistance shall be allotted for one academic year, but a recipient shall be eligible for renewed assistance until he or she has obtained a baccalaureate degree, provided such financial assistance shall not exceed a total of ten semesters or fifteen quarters or their equivalent. Standards of eligibility for renewed assistance shall be the same as for an initial award of financial assistance, except that for renewal, an applicant shall demonstrate a grade-point average of two and five-tenths on a four-point scale, or the equivalent on another scale. This subsection shall be construed as the successor to section 173.215 for purposes of eligibility requirements of other financial assistance programs that refer to section 173.215.

173.1105. 1. An applicant who is an undergraduate postsecondary student at an approved private, [or] public, **or virtual** institution and who meets the other eligibility criteria shall be eligible for financial assistance, with a minimum and maximum award amount as follows:

- (1) For academic years 2010-11, 2011-12, 2012-13, and 2013-14:
 - (a) One thousand dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector;
 - (b) Two thousand one hundred fifty dollars maximum and one thousand dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical College of Missouri; and
 - (c) Four thousand six hundred dollars maximum and two thousand dollars minimum for students attending approved private institutions;
- (2) For the 2014-15 academic year and subsequent years:

(a) One thousand three hundred dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector; and

(b) Two thousand eight hundred fifty dollars maximum and one thousand five hundred dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical College of Missouri[, or]; approved private institutions; **or approved virtual institutions.**

2. All students with an expected family contribution of twelve thousand dollars or less shall receive at least the minimum award amount for his or her institution. Maximum award amounts for an eligible student with an expected family contribution above seven thousand dollars shall be reduced by ten percent of the maximum expected family contribution for his or her increment group. Any award amount shall be reduced by the amount of a student's payment from the A+ schools program or any successor program to it. For purposes of this subsection, the term "increment group" shall mean a group organized by expected family contribution in five hundred dollar increments into which all eligible students shall be placed.

3. If appropriated funds are insufficient to fund the program as described, the maximum award shall be reduced across all sectors by the percentage of the shortfall. If appropriated funds exceed the amount necessary to fund the program, the additional funds shall be used to increase the number of recipients by raising the cutoff for the expected family contribution rather than by increasing the size of the award.

4. Every three years, beginning with academic year 2009-10, the award amount may be adjusted to increase no more than the Consumer Price Index for All Urban Consumers (CPI-U), 1982-1984 = 100, not seasonally adjusted, as defined and officially recorded by the United States Department of Labor, or its successor agency, for the previous academic year. The coordinating board shall prepare a report prior to the legislative session for use of the general assembly and the governor in determining budget requests which shall include the amount of funds necessary to maintain full funding of the program based on the baseline established for the program upon the effective date of sections 173.1101 to 173.1107. Any increase in the award amount shall not become effective unless an increase in the amount of money appropriated to the program necessary to cover the increase in award amount is passed by the general assembly.

173.1107. A recipient of financial assistance may transfer from one approved public [or], private, **or virtual** institution to another without losing eligibility for assistance under sections 173.1101 to 173.1107, but the coordinating board shall make any necessary adjustments in the amount of the award. If a recipient of financial assistance at any time is entitled to a refund of any tuition, fees, or other charges under the rules and regulations of the institution in which he or she is enrolled, the institution shall pay the portion of the refund which may be attributed to the state grant to the coordinating board. The coordinating board will use these refunds to make additional awards under the provisions of sections 173.1101 to 173.1107."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 164**, entitled:

An Act to repeal sections 375.534, 375.1070, 375.1072, 376.370, 376.380, 376.670, 456.950, and 513.430, RSMo, and to enact in lieu thereof twelve new sections relating to financial transactions.

In which the concurrence of the Senate is respectfully requested.

REFERRALS

President Pro Tem Dempsey referred **SCS** for **HB 799**; **HCS** for **HBs 578, 574, and 584**; **SCS** for **HB 100**; **SCS** for **HB 529**; **SCS** for **HB 1070**; **SCS** for **HCS** for **HB 796**; **SCS** for **HCS** for **HB 976**; **HCS** for **HB 714**; **HCS** for **HB 137**; and **SCS** for **HB 279** to the Committee on Governmental Accountability and Fiscal Oversight.

On motion of Senator Richard, the Senate recessed until 8:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 278**, entitled:

An Act to repeal sections 301.010, 301.067, 301.130, 301.140, 301.190, 301.196, 301.227, 301.562, and 407.581, RSMo, and to enact in lieu thereof ten new sections relating to motor vehicles.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7 and 9.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 278, Page 33, Section 301.645, Line 17, by inserting immediately after said section and line the following:

“302.010. Except where otherwise provided, when used in this chapter, the following words and phrases mean:

(1) “Circuit court”, each circuit court in the state;

(2) “Commercial motor vehicle”, a motor vehicle designed or regularly used for carrying freight and merchandise, or more than fifteen passengers;

(3) “Conviction”, any final conviction; also a forfeiture of bail or collateral deposited to secure a defendant’s appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction, except that when any conviction as a result of which points are assessed pursuant to section 302.302 is appealed, the term “conviction” means the original judgment of conviction for the purpose of determining the assessment of points, and the date of final judgment affirming the conviction shall be the date determining the beginning of any license suspension or revocation pursuant to section 302.304;

(4) “Criminal history check”, a search of criminal records, including criminal history record information as defined in section 43.500, maintained by the Missouri state highway patrol in the Missouri criminal records repository or by the Federal Bureau of Investigation as part of its criminal history records, including, but not limited to, any record of conviction, plea of guilty or nolo contendere, or finding of guilty in any state for any offense related to alcohol, controlled substances, or drugs;

(5) “Director”, the director of revenue acting directly or through the director’s authorized officers and agents;

(6) “Farm tractor”, every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry;

(7) “Highway”, any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways, or alleys in any municipality;

(8) “Incompetent to drive a motor vehicle”, a person who has become physically incapable of meeting the prescribed requirements of an examination for an operator’s license, or who has been adjudged by a probate division of the circuit court in a capacity hearing of being incapacitated;

(9) “License”, a license issued by a state to a person which authorizes a person to operate a motor vehicle;

(10) “Motor vehicle”, any self-propelled vehicle not operated exclusively upon tracks except motorized bicycles, as defined in section 307.180;

(11) “Motorcycle”, a motor vehicle operated on two wheels; however, this definition shall not include motorized bicycles as defined in section 301.010;

(12) “Motortricycle”, a motor vehicle operated on three wheels, including a motorcycle operated with any conveyance, temporary or otherwise, requiring the use of a third wheel;

(13) “Moving violation”, that character of traffic violation where at the time of violation the motor vehicle involved is in motion, except that the term does not include the driving of a motor vehicle without a valid motor vehicle registration license, or violations of sections 304.170 to 304.240, inclusive, relating to sizes and weights of vehicles;

(14) “Municipal court”, every division of the circuit court having original jurisdiction to try persons for violations of city ordinances;

(15) “Nonresident”, every person who is not a resident of this state;

(16) “Operator”, every person who is in actual physical control of a motor vehicle upon a highway;

(17) “Owner”, a person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of sections 302.010 to 302.540;

(18) “Record” includes, but is not limited to, papers, documents, facsimile information, microphotographic process, electronically generated or electronically recorded information, digitized images, deposited or filed with the department of revenue;

(19) “Residence address”, “residence”, or “resident address” shall be the location at which a person has been physically present, and that the person regards as home. A residence address is a person’s true, fixed, principal, and permanent home, to which a person intends to return and remain, even though currently residing elsewhere;

(20) “Restricted driving privilege”, a **sixty-day** driving privilege issued by the director of revenue following a suspension of driving privileges for the limited purpose of driving in connection with the driver’s business, occupation, employment, formal program of secondary, postsecondary or higher education, or for an alcohol education or treatment program or certified ignition interlock provider, **or a ninety-day ‘interlock restricted privilege’ issued by the director of revenue for the limited purpose**

of driving in connection with the driver's business, occupation, employment, seeking medical treatment for such driver or a dependent family member, attending school or other institution of higher education, attending alcohol or drug treatment programs, seeking the required services of a certified ignition interlock provider, fulfilling court obligations, including required appearances and probation and parole obligations, religious services, the care of a child or children, including scheduled visitation or custodial obligations pursuant to a court order, fueling requirements for any vehicle utilized, and seeking basic nutritional requirements;

(21) "School bus", when used in sections 302.010 to 302.540, means any motor vehicle, either publicly or privately owned, used to transport students to and from school, or to transport pupils properly chaperoned to and from any place within the state for educational purposes. The term "school bus" shall not include a bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interstate transportation of passengers when such bus is not traveling a specific school bus route but is:

(a) On a regularly scheduled route for the transportation of fare-paying passengers; or

(b) Furnishing charter service for the transportation of persons enrolled as students on field trips or other special trips or in connection with other special events;

(22) "School bus operator", an operator who operates a school bus as defined in subdivision (21) of this section in the transportation of any schoolchildren and who receives compensation for such service. The term "school bus operator" shall not include any person who transports schoolchildren as an incident to employment with a school or school district, such as a teacher, coach, administrator, secretary, school nurse, or janitor unless such person is under contract with or employed by a school or school district as a school bus operator;

(23) "Signature", any method determined by the director of revenue for the signing, subscribing or verifying of a record, report, application, driver's license, or other related document that shall have the same validity and consequences as the actual signing by the person providing the record, report, application, driver's license or related document;

(24) "Substance abuse traffic offender program", a program certified by the division of alcohol and drug abuse of the department of mental health to provide education or rehabilitation services pursuant to a professional assessment screening to identify the individual needs of the person who has been referred to the program as the result of an alcohol- or drug-related traffic offense. Successful completion of such a program includes participation in any education or rehabilitation program required to meet the needs identified in the assessment screening. The assignment recommendations based upon such assessment shall be subject to judicial review as provided in subsection 14 of section 302.304 and subsections 1 and 5 of section 302.540;

(25) "Vehicle", any mechanical device on wheels, designed primarily for use, or used on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons.

302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as described in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court shall order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has been found guilty of acting with criminal negligence while driving while intoxicated to cause the death of another person, or to any person who has been convicted twice within a five-year period of violating state law, county or municipal ordinance of driving while intoxicated, or any other intoxication-related traffic offense as defined in section 577.001, except that, after the expiration of five years from the date of conviction of the last offense of violating such law or ordinance, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction, including the results of a criminal history check as defined in section 302.010. If the court finds that the petitioner has not been found guilty of, and has no pending charges for any offense related to alcohol, controlled substances, or drugs and has no other alcohol-related enforcement contacts as defined in section 302.525 during the preceding five years, and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court shall order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540;

(11) To any person who is otherwise disqualified pursuant to the provisions of chapter 302, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians

file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of subdivision (9) or (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have a photo identification technology feature, and a court may require a global positioning system feature for such device. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device **within the last three months of the six-month period of required installation of the ignition interlock device**, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended [for an additional six months] **until the person has completed three consecutive months with no violations as described in this section**. If the person fails to maintain such proof with the director, the license shall be suspended [for the remainder of the six-month period or] until proof as required by this section is filed with the director. [Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.]

3. Any person who petitions the court for reinstatement of his or her license pursuant to subdivision (9) or (10) of subsection 1 of this section shall make application with the Missouri state highway patrol as provided in section 43.540, and shall submit two sets of fingerprints collected pursuant to standards as determined by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files. At the time of application, the applicant shall supply to the highway patrol the court name and case number for the court where he or she has filed his or her petition for reinstatement. The applicant shall pay the fee for the state criminal history check pursuant to section 43.530 and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record. The Missouri highway patrol, upon receipt of the results of the criminal history check, shall forward a copy of the results to the circuit court designated by the applicant and to the department. Notwithstanding the provisions of section 610.120, all records related to any criminal history check shall be accessible and available to the director and the court.

302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be

accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, there shall be no period of suspension. However, in lieu of a suspension the person shall instead complete a ninety-day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such ninety-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a confirmed blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional thirty-day period of restricted driving privilege.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section, the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the Armed Forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the Armed Forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, except any suspension or revocation issued under section 302.410, 302.462, or 302.574, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state. Any person who has had his or her license suspended or revoked under section 302.410, 302.462, or 302.574, shall be required to pay the reinstatement fee.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (24) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.001 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a conviction for an intoxication-related traffic offense as defined under section

577.001, and who has a prior alcohol-related enforcement contact as defined under section 302.525, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device **within the last three months of the six-month period of required installation of the ignition interlock device**, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended [for an additional six months] **until the person has completed three consecutive months with no violations as described in this section**. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges, except as provided under subdivision (8) of this subsection. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator, the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving

privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of [paragraph (a) of] subdivision (6) of this subsection [on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or] **if such person has a license denial under paragraph (a) or (b) of subdivision (8) of this subsection[, or a license revocation under paragraph (g) of subdivision (6) of this subsection,] or on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license revocation under subdivision (2) of subsection 2 of section 302.525, or sections 302.574 or 577.041**, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have a photo identification technology feature, and a court may require a global positioning system feature for such device.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege whose license at the time of application has been suspended or revoked for the following reasons:

(a) [A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed

the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b)] A conviction of any felony in the commission of which a motor vehicle was used **and such conviction occurred within the five year period prior to the date of application. However, any felony conviction for leaving the scene of an accident under section 577.060 shall not render the applicant ineligible for a limited driving privilege under this section;**

[(c)] **(b)** Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), **or** (10) [or (11)] of subsection 1 of section 302.060; **or**

[(d)] Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for failure to submit to a chemical test pursuant to section 302.574 or due to a refusal to submit to a chemical test in any other state, unless such person has completed the first ninety days of such revocation and files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, provided the person is not otherwise ineligible for a limited driving privilege;

(f)] **(c)** Due to a suspension pursuant to **subdivision (8) or (10) of subsection 1 of section 302.302 or** subsection 2 of section 302.525 [and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(g) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed the first forty-five days of such revocation, provided the person is not otherwise ineligible for a limited driving privilege].

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection. Such person shall present evidence satisfactory to the court or the director that such person's habits and conduct show that the person no longer poses a threat to the public safety of this state. A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of acting with criminal negligence while driving while intoxicated to cause the death of another person, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of subsection 1 of section 302.060, to apply for a limited

driving privilege pursuant to this subsection. Such person shall present evidence satisfactory to the court or the director that such person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision. A circuit court shall grant a limited driving privilege to any individual who otherwise is eligible to receive a limited driving privilege, has filed proof of installation of a certified ignition interlock device, and has had no alcohol-related enforcement contacts since the alcohol-related enforcement contact that resulted in the person's license denial.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. [The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.]

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving

privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle. In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section. If a person otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle that he or she operates is equipped with a functioning, certified ignition interlock device, there shall be no period of suspension. However, in lieu of a suspension the person shall instead complete a ninety-day period of restricted driving privilege. Upon completion of such ninety-day period of restricted driving privilege, compliance with other requirements of law, and filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a confirmed blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional thirty-day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has [completed the first thirty days of a suspension under this section and has] filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of

reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device **within the last three months of the six-month period of required installation of the ignition interlock device**, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended [for an additional six months] **until the person has completed three consecutive months with no violations as described in this section**. If the person fails to maintain such proof with the director, the license shall be suspended or revoked, [as applicable] **until proof as required by this section is filed with the director, and the person shall be guilty of a class A misdemeanor**.

302.574. 1. If a person who was operating a vehicle refuses upon the request of the officer to submit to any chemical test under section 577.041, the officer shall, on behalf of the director of revenue, serve the notice of license revocation personally upon the person and shall take possession of any license to operate a vehicle issued by this state which is held by that person. The officer shall issue a temporary permit, on behalf of the director of revenue, which is valid for fifteen days and shall also give the person notice of his or her right to file a petition for review to contest the license revocation.

2. Such officer shall make a certified report under penalties of perjury for making a false statement to a public official. The report shall be forwarded to the director of revenue and shall include the following:

(1) That the officer has:

(a) Reasonable grounds to believe that the arrested person was driving a motor vehicle while in an intoxicated condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer has reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater;

(2) That the person refused to submit to a chemical test;

(3) Whether the officer secured the license to operate a motor vehicle of the person;

(4) Whether the officer issued a fifteen-day temporary permit;

(5) Copies of the notice of revocation, the fifteen-day temporary permit, and the notice of the right to file a petition for review. The notices and permit may be combined in one document; and

(6) Any license, which the officer has taken into possession, to operate a motor vehicle.

3. Upon receipt of the officer's report, the director shall revoke the license of the person refusing to take the test for a period of one year; or if the person is a nonresident, such person's operating permit or privilege shall be revoked for one year; or if the person is a resident without a license or permit to operate a motor vehicle in this state, an order shall be issued denying the person the issuance of a license or permit for a period of one year.

4. If a person's license has been revoked because of the person's refusal to submit to a chemical test, such person may petition for a hearing before a circuit division or associate division of the court in the

county in which the arrest or stop occurred. The person may request such court to issue an order staying the revocation until such time as the petition for review can be heard. If the court, in its discretion, grants such stay, it shall enter the order upon a form prescribed by the director of revenue and shall send a copy of such order to the director. Such order shall serve as proof of the privilege to operate a motor vehicle in this state and the director shall maintain possession of the person's license to operate a motor vehicle until termination of any revocation under this section. Upon the person's request, the clerk of the court shall notify the prosecuting attorney of the county and the prosecutor shall appear at the hearing on behalf of the director of revenue. At the hearing, the court shall determine only:

(1) Whether the person was arrested or stopped;

(2) Whether the officer had:

(a) Reasonable grounds to believe that the person was driving a motor vehicle while in an intoxicated or drugged condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer had reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater; and

(3) Whether the person refused to submit to the test.

5. If the court determines any issue not to be in the affirmative, the court shall order the director to reinstate the license or permit to drive.

6. Requests for review as provided in this section shall go to the head of the docket of the court wherein filed.

7. No person who has had a license to operate a motor vehicle suspended or revoked under the provisions of this section shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (24) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion under the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a similar offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.001, or of a person determined to have operated a motor vehicle with a blood alcohol content of fifteen-hundredths of one percent or more by weight. Compliance with the court determination of the motion shall satisfy the

provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted under this subsection shall not be necessary unless directed by the court.

8. The fees for the substance abuse traffic offender program, or a portion thereof, to be determined by the division of alcohol and drug abuse of the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due to the division of alcohol and drug abuse under this section, and shall accrue at a rate not to exceed the annual rates established under the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health under this section shall be deposited in the mental health earnings fund, which is created in section 630.053.

9. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program under this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due to the division under this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action for the collection of said fees and accrued interest. The court shall assess attorneys' fees and court costs against any delinquent program.

10. Any person who has had a license to operate a motor vehicle revoked under this section and who has a prior alcohol-related enforcement contact, as defined in section 302.525, shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of license reinstatement. Such ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device **within the last three months of the six-month period of required installation of the ignition interlock device**, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended [for an additional six months] **until the person has completed three consecutive months with no violations as described in this section**. If the person fails to maintain such proof with the director as required by this section, the license shall be rerevoked **until proof as required by this section is filed with the director**, and the person shall be guilty of a class A misdemeanor.

11. The revocation period of any person whose license and driving privilege has been revoked under this section and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's

license and driving privilege shall be rerevoked.

12. A person commits the offense of failure to maintain proof with the Missouri department of revenue if, when required to do so, he or she fails to file proof with the director of revenue that any vehicle operated by the person is equipped with a functioning, certified ignition interlock device or fails to file proof of financial responsibility with the department of revenue in accordance with chapter 303. The offense of failure to maintain proof with the Missouri department of revenue is a class A misdemeanor.

478.007. 1. Any circuit court, or any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants with a county municipal court established under section 66.010, may establish a docket or court to provide an alternative for the judicial system to dispose of cases in which a person has pleaded guilty to driving while intoxicated or driving with excessive blood alcohol content and:

(1) The person was operating a motor vehicle with at least fifteen-hundredths of one percent or more by weight of alcohol in such person's blood; or

(2) The person has previously pleaded guilty to or has been found guilty of one or more intoxication-related traffic offenses as defined by section 577.023; or

(3) The person has two or more previous alcohol-related enforcement contacts as defined in section 302.525.

2. This docket or court shall combine judicial supervision, drug testing, continuous alcohol monitoring, **as defined in section 577.001 or verifiable breath alcohol testing performed a minimum of four times per day**, substance abuse traffic offender program compliance, and treatment of DWI court participants. The court may assess any and all necessary costs for participation in DWI court against the participant. Any money received from such assessed costs by a court from a defendant shall not be considered court costs, charges, or fines. This docket or court may operate in conjunction with a drug court established pursuant to sections 478.001 to 478.006.

3. If the division of probation and parole is otherwise unavailable to assist in the judicial supervision of any person who wishes to enter a DWI court, a court-approved private probation service may be utilized by the DWI court to fill the division's role. In such case, any and all necessary additional costs may be assessed against the participant. No person shall be rejected from participating in DWI court solely for the reason that the person does not reside in the city or county where the applicable DWI court is located but the DWI court can base acceptance into a treatment court program on its ability to adequately provide services for the person or handle the additional caseload.

577.001. As used in this chapter, the following terms mean:

(1) "Aggravated offender", a person who has been found guilty of:

(a) Three or more intoxication-related traffic offenses committed on separate occasions; or

(b) Two or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(2) "Aggravated boating offender", a person who has been found guilty of:

(a) Three or more intoxication-related boating offenses; or

(b) Has been found guilty of one or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(3) “All-terrain vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(4) “Court”, any circuit, associate circuit, or municipal court, including traffic court, but not any juvenile court or drug court;

(5) “Chronic offender”, a person who has been found guilty of:

(a) Four or more intoxication-related traffic offenses committed on separate occasions; or

(b) Three or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

(c) Two or more intoxication-related traffic offenses committed on separate occasions where both intoxication-related traffic offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(6) “Chronic boating offender”, a person who has been found guilty of:

(a) Four or more intoxication-related boating offenses; or

(b) Three or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(c) Two or more intoxication-related boating offenses committed on separate occasions where both intoxication-related boating offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(7) **“Continuous alcohol monitoring”, automatically testing breath, blood, or transdermal alcohol concentration levels and tampering attempts at least once every hour, regardless of the location of the person who is being monitored, and regularly transmitting the data. Continuous alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of section 217.690;**

(8) “Controlled substance”, a drug, substance, or immediate precursor in schedules I to V listed in section 195.017;

[(8)] (9) “Drive”, “driving”, “operates” or “operating”, means physically driving or operating a vehicle or vessel;

[(9)] (10) “Flight crew member”, the pilot in command, copilots, flight engineers, and flight navigators;

[(10)] **(11)** “Habitual offender”, a person who has been found guilty of:

(a) Five or more intoxication-related traffic offenses committed on separate occasions; or

(b) Four or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

(c) Three or more intoxication-related traffic offenses committed on separate occasions where at least two of the intoxication-related traffic offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

(d) While driving while intoxicated, the defendant acted with criminal negligence to:

a. Cause the death of any person not a passenger in the vehicle operated by the defendant, including the death of an individual that results from the defendant’s vehicle leaving a highway, as defined by section 301.010, or the highway’s right-of-way; or

b. Cause the death of two or more persons; or

c. Cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths of one percent by weight of alcohol in such person’s blood;

[(11)] **(12)** “Habitual boating offender”, a person who has been found guilty of:

(a) Five or more intoxication-related boating offenses; or

(b) Four or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(c) Three or more intoxication-related boating offenses committed on separate occasions where at least two of the intoxication-related boating offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(d) While boating while intoxicated, the defendant acted with criminal negligence to:

a. Cause the death of any person not a passenger in the vessel operated by the defendant, including the death of an individual that results from the defendant’s vessel leaving the water; or

b. Cause the death of two or more persons; or

c. Cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths of one percent by weight of alcohol in such person’s blood;

[(12)] **(13)** “Intoxicated” or “intoxicated condition”, when a person is under the influence of alcohol, a controlled substance, or drug, or any combination thereof;

[(13)] **(14)** “Intoxication-related boating offense”, operating a vessel while intoxicated; boating while intoxicated; operating a vessel with excessive blood alcohol content or an offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed in violation of any state

law, county or municipal ordinance, any federal offense, or any military offense;

[(14)] **(15)** “Intoxication-related traffic offense”, driving while intoxicated, driving with excessive blood alcohol content or an offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense;

[(15)] **(16)** “Law enforcement officer” or “arresting officer”, includes the definition of law enforcement officer in section 556.061 and military policemen conducting traffic enforcement operations on a federal military installation under military jurisdiction in the state of Missouri;

[(16)] **(17)** “Operate a vessel”, to physically control the movement of a vessel in motion under mechanical or sail power in water;

[(17)] **(18)** “Persistent offender”, a person who has been found guilty of two or more intoxication-related traffic offenses committed on separate occasions;

[(18)] **(19)** “Persistent boating offender”, a person who has been found guilty of two or more intoxication-related boating offenses committed on separate occasions;

[(19)] **(20)** “Prior offender”, a person who has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged;

[(20)] **(21)** “Prior boating offender”, a person who has been found guilty of one intoxication-related boating offense, where such prior offense occurred within five years of the occurrence of the intoxication-related boating offense for which the person is charged.

577.010. 1. A person commits the offense of driving while intoxicated if he or she operates a vehicle while in an intoxicated condition.

2. The offense of driving while intoxicated is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if:

(a) The defendant is a prior offender; or

(b) A person less than seventeen years of age is present in the vehicle;

(3) A class E felony if:

(a) The defendant is a persistent offender; or

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause physical injury to another person;

(4) A class D felony if:

(a) The defendant is an aggravated offender;

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause physical injury to a law enforcement officer or emergency personnel; or

(c) While driving while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to another person;

(5) A class C felony if:

(a) The defendant is a chronic offender;

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to a law enforcement officer or emergency personnel; or

(c) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of another person;

(6) A class B felony if:

(a) The defendant is a habitual offender; or

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of a law enforcement officer or emergency personnel;

(7) A class A felony if the defendant is a habitual offender as a result of being found guilty of an act described under paragraph (d) of subdivision [(10)] **(11)** of section 577.001 and is found guilty of a subsequent violation of such paragraph.

3. Notwithstanding the provisions of subsection 2 of this section, a person found guilty of the offense of driving while intoxicated as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the individual participates and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

4. If a person is found guilty of a second or subsequent offense of driving while intoxicated, the court may order the person to submit to a period of continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day as a condition of probation.

5. If a person is not granted a suspended imposition of sentence for the reasons described in subsection 3 of this section:

(1) If the individual operated the vehicle with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vehicle with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

[5.] **6.** A person found guilty of the offense of driving while intoxicated:

(1) As a prior offender, persistent offender, aggravated offender, chronic offender, or habitual offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior offender shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized

program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least thirty days of community service under the supervision of the court;

(3) As a persistent offender shall not be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least sixty days of community service under the supervision of the court;

(4) As an aggravated offender shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic offender shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment; **and**

(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day.

577.012. 1. A person commits the offense of driving with excessive blood alcohol content if such person operates:

(1) A vehicle while having eight-hundredths of one percent or more by weight of alcohol in his or her blood; or

(2) A commercial motor vehicle while having four one-hundredths of one percent or more by weight of alcohol in his or her blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of sections 577.020 to 577.041.

3. The offense of driving with excessive blood alcohol content is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if the defendant is alleged and proved to be a prior offender;

(3) A class E felony if the defendant is alleged and proved to be a persistent offender;

(4) A class D felony if the defendant is alleged and proved to be an aggravated offender;

(5) A class C felony if the defendant is alleged and proved to be a chronic offender;

(6) A class B felony if the defendant is alleged and proved to be a habitual offender.

4. A person found guilty of the offense of driving with an excessive blood alcohol content as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the individual participates in and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

5. If a person is not granted a suspended imposition of sentence for the reasons described in subsection 4 of this section:

(1) If the individual operated the vehicle with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vehicle with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

6. If a person is found guilty of a second or subsequent offense of driving with an excessive blood alcohol content, the court may order the person to submit to a period of continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day as a condition of probation.

7. A person found guilty of driving with excessive blood alcohol content:

(1) As a prior offender, persistent offender, aggravated offender, chronic offender or habitual offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior offender shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least thirty days of community service under the supervision of the court;

(3) As a persistent offender shall not be granted parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least sixty days of community service under the supervision of the court;

(4) As an aggravated offender shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic offender shall not be eligible for parole or probation until he or she has served a

minimum of two years imprisonment; **and**

(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day.

577.013. 1. A person commits the offense of boating while intoxicated if he or she operates a vessel while in an intoxicated condition.

2. The offense of boating while intoxicated is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if:

(a) The defendant is a prior boating offender; or

(b) A person less than seventeen years of age is present in the vessel;

(3) A class E felony if:

(a) The defendant is a persistent boating offender; or

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause physical injury to another person;

(4) A class D felony if:

(a) The defendant is an aggravated boating offender;

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause physical injury to a law enforcement officer or emergency personnel; or

(c) While boating while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to another person;

(5) A class C felony if:

(a) The defendant is a chronic boating offender;

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to a law enforcement officer or emergency personnel; or

(c) While boating while intoxicated, the defendant acts with criminal negligence to cause the death of another person;

(6) A class B felony if:

(a) The defendant is a habitual boating offender; or

(b) While boating while intoxicated, the defendant acts with criminal negligence to cause the death of a law enforcement officer or emergency personnel;

(7) A class A felony if the defendant is a habitual offender as a result of being found guilty of an act described under paragraph (d) of subdivision [(11)] **(12)** of section 577.001 and is found guilty of a subsequent violation of such paragraph.

3. Notwithstanding the provisions of subsection 2 of this section, a person found guilty of the offense of boating while intoxicated as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the individual participates in and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

4. If a person is found guilty of a second or subsequent offense of boating while intoxicated, the court may order the person to submit to a period of continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day as a condition of probation.

5. If a person is not granted a suspended imposition of sentence for the reasons described in subsection 3 of this section:

(1) If the individual operated the vessel with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vessel with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

[5.] **6.** A person found guilty of the offense of boating while intoxicated:

(1) As a prior boating offender, persistent boating offender, aggravated boating offender, chronic boating offender or habitual boating offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior boating offender shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least two hundred forty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(3) As a persistent offender shall not be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least four hundred eighty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(4) As an aggravated boating offender shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic boating offender shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment; **and**

(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day.

577.014. 1. A person commits the offense of boating with excessive blood alcohol content if he or she operates a vessel while having eight-hundredths of one percent or more by weight of alcohol in his or her blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of determining the alcoholic content of a person's blood under this section, the test shall be conducted in accordance with the provisions of sections 577.020 to 577.041.

3. The offense of boating with excessive blood alcohol content is:

- (1) A class B misdemeanor;
- (2) A class A misdemeanor if the defendant is alleged and proved to be a prior boating offender;
- (3) A class E felony if the defendant is alleged and proved to be a persistent boating offender;
- (4) A class D felony if the defendant is alleged and proved to be an aggravated boating offender;
- (5) A class C felony if the defendant is alleged and proved to be a chronic boating offender;
- (6) A class B felony if the defendant is alleged and proved to be a habitual boating offender.

4. A person found guilty of the offense of boating with excessive blood alcohol content as a first offense shall not be granted a suspended imposition of sentence:

- (1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood unless the individual participates in and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

5. When a person is not granted a suspended imposition of sentence for the reasons described in subsection 4 of this section:

(1) If the individual operated the vessel with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vessel with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

6. If a person is found guilty of a second or subsequent offense of boating with an excessive blood alcohol content, the court may order the person to submit to a period of continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day as a condition of probation.

7. A person found guilty of the offense of boating with excessive blood alcohol content:

(1) As a prior boating offender, persistent boating offender, aggravated boating offender, chronic boating offender or habitual boating offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior boating offender, shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least two hundred forty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(3) As a persistent boating offender, shall not be granted parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least four hundred eighty hours of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available;

(4) As an aggravated boating offender, shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic boating offender, shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment; **and**

(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day.”; and

Further amend said bill, Page 35, Section 407.581, Line 95, by inserting immediately after said section and line the following:

“Section B. Sections 302.010, 302.060, 302.302, 302.304, 302.309, 302.525, 302.574, 478.007, 577.001, 577.010, 577.012, 577.013, and 577.014 of Section A of this act shall become effective on January 1, 2017.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 278, Page 13, Section 301.130, Line 111, by inserting immediately after all of said line the following:

“301.136. 1. Any camping or fifth-wheel trailer, as defined by section 407.1320, that is over twenty-five years old may be permanently registered upon payment of a registration fee of twenty-five dollars. Upon the transfer of the title to any such trailer, the registration shall be canceled and the license plates issued therefor shall be returned to the director of revenue.

2. The owner of any such trailer shall file an application in a form prescribed by the director, and a certificate of registration shall be issued therefor.

3. Notwithstanding any provisions of this section to the contrary, any person possessing license plates issued by the state of Missouri that are over twenty-five years old, in which the year of issuance

of such plates is consistent with the year of the manufacture of the camping or fifth-wheel trailer, may register such plates as historic trailer plates as set forth in this section, provided that the configuration of letters, numbers, or combination of letters and numbers of such plates is not identical to the configuration of letters, numbers, or combination of letters and numbers of any plates already issued to an owner by the director. Such license plates shall not be required to possess the characteristic features of reflective material and common color scheme and design as prescribed by section 301.130. The owner of the historic trailer registered under this section shall keep the certificate of registration in the trailer at all times. The certificate of registration shall be prima facie evidence that the trailer has been properly registered with the director and that all fees have been paid.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 278, Page 29, Section 301.227, Line 99, by inserting after all of said line the following:

“301.451. Any person who has been awarded the purple heart medal may apply for special motor vehicle license plates for any vehicle he or she owns, either solely or jointly, other than commercial vehicles weighing over twelve thousand pounds. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the purple heart medal as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof, with the words “PURPLE HEART” in place of the words “SHOW-ME STATE” in a form prescribed by the advisory committee established in section 301.129. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. There shall be no fee in addition to regular registration fees for the [initial set of] **purple heart license** plates issued to the applicant[, however, there shall be an additional fee charged for each subsequent set of special purple heart license plates issued equal to the fee charged for personalized license plates, but the additional fee shall only have to be paid once by the qualified applicant at the time of initial application for the additional set of plates]. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 278, Page 16, Section 301.140, Line 112, by deleting the phrase “301.127” and inserting in lieu thereof the phrase “[301.127] **301.217**”; and

Further amend said bill, Page 32, Section 301.562, Line 120, by deleting the word “**action**” and inserting in lieu thereof the word “**section**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate

Bill No. 278, Page 33, Section 301.645, Line 17, by inserting the following after all of said line:

“306.126. 1. [The operator of a motorboat shall not allow any person to ride or sit on the gunwales, decking over the bow, railing, top of seat back or decking over the back of the motorboat while under way, unless such person is inboard of adequate guards or railing provided on the motorboat to prevent a passenger from being lost overboard. As used in this section, the term “adequate guards or railing” means guards or railings having a height parameter of at least six inches but not more than eighteen inches. Nothing in this section shall be construed to mean that passengers or other persons aboard a motorboat cannot occupy the decking over the bow of the boat to moor it to a mooring buoy or to cast off from such a buoy, or for any other necessary purpose. The provisions of this section shall not apply to vessels propelled by sail.

2.] Whenever any person leaves any watercraft, other than a personal watercraft, on the waters of the Mississippi River, the waters of the Missouri River or the lakes of this state and enters the water between the hours of 11:00 a.m. and sunset, the operator of such watercraft shall display on the watercraft a red or orange flag measuring not less than twelve inches by twelve inches. The provisions of this subsection shall not apply to watercraft that is moored or anchored. The flag required by this subsection shall be visible for three hundred sixty degrees around the horizon when displayed and shall be displayed only when an occupant of the watercraft has left the confines of the watercraft and entered the water. The flag required by this subsection shall not be displayed when the watercraft is engaged in towing any person, but shall be displayed when such person has ceased being towed and has reentered the water.

[3.] 2. No operator shall knowingly operate any watercraft within fifty yards of a flag required by subsection 2 of this section at a speed in excess of a slow-no wake speed.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 278, Page 16, Section 301.140, Line 138, by inserting after all of said section and line the following:

“301.142. 1. As used in sections 301.141 to 301.143, the following terms mean:

(1) “Department”, the department of revenue;

(2) “Director”, the director of the department of revenue;

(3) “Other authorized health care practitioner” includes advanced practice registered nurses licensed pursuant to chapter 335, physician assistants licensed pursuant to chapter 334, chiropractors licensed pursuant to chapter 331, podiatrists licensed pursuant to chapter 330, **physical therapists licensed pursuant to chapter 334**, and optometrists licensed pursuant to chapter 336;

(4) “Physically disabled”, a natural person who is blind, as defined in section 8.700, or a natural person with medical disabilities which prohibits, limits, or severely impairs one’s ability to ambulate or walk, as determined by a licensed physician or other authorized health care practitioner as follows:

(a) The person cannot ambulate or walk fifty or less feet without stopping to rest due to a severe and disabling arthritic, neurological, orthopedic condition, or other severe and disabling condition; or

(b) The person cannot ambulate or walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or

(c) Is restricted by a respiratory or other disease to such an extent that the person’s forced respiratory

expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or

(d) Uses portable oxygen; or

(e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or

(f) A person's age, in and of itself, shall not be a factor in determining whether such person is physically disabled or is otherwise entitled to disabled license plates and/or disabled windshield hanging placards within the meaning of sections 301.141 to 301.143;

(5) "Physician", a person licensed to practice medicine pursuant to chapter 334;

(6) "Physician's statement", a statement personally signed by a duly authorized person which certifies that a person is disabled as defined in this section;

(7) "Temporarily disabled person", a disabled person as defined in this section whose disability or incapacity is expected to last no more than one hundred eighty days;

(8) "Temporary windshield placard", a placard to be issued to persons who are temporarily disabled persons as defined in this section, certification of which shall be indicated on the physician's statement;

(9) "Windshield placard", a placard to be issued to persons who are physically disabled as defined in this section, certification of which shall be indicated on the physician's statement.

2. Other authorized health care practitioners may furnish to a disabled or temporarily disabled person a physician's statement for only those physical health care conditions for which such health care practitioner is legally authorized to diagnose and treat.

3. A physician's statement shall:

(1) Be on a form prescribed by the director of revenue;

(2) Set forth the specific diagnosis and medical condition which renders the person physically disabled or temporarily disabled as defined in this section;

(3) Include the physician's or other authorized health care practitioner's license number; and

(4) Be personally signed by the issuing physician or other authorized health care practitioner.

4. If it is the professional opinion of the physician or other authorized health care practitioner issuing the statement that the physical disability of the applicant, user, or member of the applicant's household is permanent, it shall be noted on the statement. Otherwise, the physician or other authorized health care practitioner shall note on the statement the anticipated length of the disability which period may not exceed one hundred eighty days. If the physician or health care practitioner fails to record an expiration date on the physician's statement, the director shall issue a temporary windshield placard for a period of thirty days.

5. A physician or other authorized health care practitioner who issues or signs a physician's statement so that disabled plates or a disabled windshield placard may be obtained shall maintain in such disabled person's medical chart documentation that such a certificate has been issued, the date the statement was signed, the diagnosis or condition which existed that qualified the person as disabled pursuant to this section and shall contain sufficient documentation so as to objectively confirm that such condition exists.

6. The medical or other records of the physician or other authorized health care practitioner who issued

a physician's statement shall be open to inspection and review by such practitioner's licensing board, in order to verify compliance with this section. Information contained within such records shall be confidential unless required for prosecution, disciplinary purposes, or otherwise required to be disclosed by law.

7. Owners of motor vehicles who are residents of the state of Missouri, and who are physically disabled, owners of motor vehicles operated at least fifty percent of the time by a physically disabled person, or owners of motor vehicles used to primarily transport physically disabled members of the owner's household may obtain disabled person license plates. Such owners, upon application, accompanied by the documents and fees provided for in this section, a current physician's statement which has been issued within ninety days proceeding the date the application is made and proof of compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles, shall be issued motor vehicle license plates for vehicles, other than commercial vehicles with a gross weight in excess of twenty-four thousand pounds, upon which shall be inscribed the international wheelchair accessibility symbol and the word "DISABLED" in addition to a combination of letters and numbers. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

8. The director shall further issue, upon request, to such applicant one, and for good cause shown, as the director may define by rule and regulations, not more than two, removable disabled windshield hanging placards for use when the disabled person is occupying a vehicle or when a vehicle not bearing the permanent handicap plate is being used to pick up, deliver, or collect the physically disabled person issued the disabled motor vehicle license plate or disabled windshield hanging placard.

9. No additional fee shall be paid to the director for the issuance of the special license plates provided in this section, except for special personalized license plates and other license plates described in this subsection. Priority for any specific set of special license plates shall be given to the applicant who received the number in the immediately preceding license period subject to the applicant's compliance with the provisions of this section and any applicable rules or regulations issued by the director. If determined feasible by the advisory committee established in section 301.129, any special license plate issued pursuant to this section may be adapted to also include the international wheelchair accessibility symbol and the word "DISABLED" as prescribed in this section and such plate may be issued to any applicant who meets the requirements of this section and the other appropriate provision of this chapter, subject to the requirements and fees of the appropriate provision of this chapter.

10. Any physically disabled person, or the parent or guardian of any such person, or any not-for-profit group, organization, or other entity which transports more than one physically disabled person, may apply to the director of revenue for a removable windshield placard. The placard may be used in motor vehicles which do not bear the permanent handicap symbol on the license plate. Such placards must be hung from the front, middle rearview mirror of a parked motor vehicle and may not be hung from the mirror during operation. These placards may only be used during the period of time when the vehicle is being used by a disabled person, or when the vehicle is being used to pick up, deliver, or collect a disabled person. When there is no rearview mirror, the placard shall be displayed on the dashboard on the driver's side.

11. The removable windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The removable windshield placard shall be renewed every four years. The director may stagger the expiration dates to equalize workload. Only one removable placard may be issued to an applicant who has been issued disabled person license plates. Upon request, one additional windshield placard may be issued to an applicant who

has not been issued disabled person license plates.

12. A temporary windshield placard shall be issued to any physically disabled person, or the parent or guardian of any such person who otherwise qualifies except that the physical disability, in the opinion of the physician, is not expected to exceed a period of one hundred eighty days. The temporary windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The fee for the temporary windshield placard shall be two dollars. Upon request, and for good cause shown, one additional temporary windshield placard may be issued to an applicant. Temporary windshield placards shall be issued upon presentation of the physician's statement provided by this section and shall be displayed in the same manner as removable windshield placards. A person or entity shall be qualified to possess and display a temporary removable windshield placard for six months and the placard may be renewed once for an additional six months if a physician's statement pursuant to this section is supplied to the director of revenue at the time of renewal.

13. Application for license plates or windshield placards issued pursuant to this section shall be made to the director of revenue and shall be accompanied by a statement signed by a licensed physician or other authorized health care practitioner which certifies that the applicant, user, or member of the applicant's household is a physically disabled person as defined by this section.

14. The placard shall be renewable only by the person or entity to which the placard was originally issued. Any placard issued pursuant to this section shall only be used when the physically disabled occupant for whom the disabled plate or placard was issued is in the motor vehicle at the time of parking or when a physically disabled person is being delivered or collected. A disabled license plate and/or a removable windshield hanging placard are not transferable and may not be used by any other person whether disabled or not.

15. At the time the disabled plates or windshield hanging placards are issued, the director shall issue a registration certificate which shall include the applicant's name, address, and other identifying information as prescribed by the director, or if issued to an agency, such agency's name and address. This certificate shall further contain the disabled license plate number or, for windshield hanging placards, the registration or identifying number stamped on the placard. The validated registration receipt given to the applicant shall serve as the registration certificate.

16. The director shall, upon issuing any disabled registration certificate for license plates and/or windshield hanging placards, provide information which explains that such plates or windshield hanging placards are nontransferable, and the restrictions explaining who and when a person or vehicle which bears or has the disabled plates or windshield hanging placards may be used or be parked in a disabled reserved parking space, and the penalties prescribed for violations of the provisions of this act.

17. Every new applicant for a disabled license plate or placard shall be required to present a new physician's statement dated no more than ninety days prior to such application. Renewal applicants will be required to submit a physician's statement dated no more than ninety days prior to such application upon their first renewal occurring on or after August 1, 2005. Upon completing subsequent renewal applications, a physician's statement dated no more than ninety days prior to such application shall be required every fourth year. Such physician's statement shall state the expiration date for the temporary windshield placard. If the physician fails to record an expiration date on the physician's statement, the director shall issue the temporary windshield placard for a period of thirty days. The director may stagger the requirement of a physician's statement on all renewals for the initial implementation of a four-year period.

18. The director of revenue upon receiving a physician's statement pursuant to this subsection shall check with the state board of registration for the healing arts created in section 334.120, or the Missouri state board of nursing established in section 335.021, with respect to physician's statements signed by advanced practice registered nurses, **or the advisory commission for physical therapists established in section 334.625, with respect to physician's statements signed by licensed physical therapists**, or the Missouri state board of chiropractic examiners established in section 331.090, with respect to physician's statements signed by licensed chiropractors, or with the board of optometry established in section 336.130, with respect to physician's statements signed by licensed optometrists, or the state board of podiatric medicine created in section 330.100, with respect to physician's statements signed by physicians of the foot or podiatrists to determine whether the physician is duly licensed and registered pursuant to law. If such applicant obtaining a disabled license plate or placard presents proof of disability in the form of a statement from the United States Veterans' Administration verifying that the person is permanently disabled, the applicant shall be exempt from the four-year certification requirement of this subsection for renewal of the plate or placard. Initial applications shall be accompanied by the physician's statement required by this section. Notwithstanding the provisions of paragraph (f) of subdivision (4) of subsection 1 of this section, any person seventy-five years of age or older who provided the physician's statement with the original application shall not be required to provide a physician's statement for the purpose of renewal of disabled persons license plates or windshield placards.

19. The boards shall cooperate with the director and shall supply information requested pursuant to this subsection. The director shall, in cooperation with the boards which shall assist the director, establish a list of all Missouri physicians and other authorized health care practitioners and of any other information necessary to administer this section.

20. Where the owner's application is based on the fact that the vehicle is used at least fifty percent of the time by a physically disabled person, the applicant shall submit a statement stating this fact, in addition to the physician's statement. The statement shall be signed by both the owner of the vehicle and the physically disabled person. The applicant shall be required to submit this statement with each application for license plates. No person shall willingly or knowingly submit a false statement and any such false statement shall be considered perjury and may be punishable pursuant to section 301.420.

21. The director of revenue shall retain all physicians' statements and all other documents received in connection with a person's application for disabled license plates and/or disabled windshield placards.

22. The director of revenue shall enter into reciprocity agreements with other states or the federal government for the purpose of recognizing disabled person license plates or windshield placards issued to physically disabled persons.

23. When a person to whom disabled person license plates or a removable or temporary windshield placard or both have been issued dies, the personal representative of the decedent or such other person who may come into or otherwise take possession of the disabled license plates or disabled windshield placard shall return the same to the director of revenue under penalty of law. Failure to return such plates or placards shall constitute a class B misdemeanor.

24. The director of revenue may order any person issued disabled person license plates or windshield placards to submit to an examination by a chiropractor, osteopath, or physician, or to such other investigation as will determine whether such person qualifies for the special plates or placards.

25. If such person refuses to submit or is found to no longer qualify for special plates or placards

provided for in this section, the director of revenue shall collect the special plates or placards, and shall furnish license plates to replace the ones collected as provided by this chapter.

26. In the event a removable or temporary windshield placard is lost, stolen, or mutilated, the lawful holder thereof shall, within five days, file with the director of revenue an application and an affidavit stating such fact, in order to purchase a new placard. The fee for the replacement windshield placard shall be four dollars.

27. Fraudulent application, renewal, issuance, procurement or use of disabled person license plates or windshield placards shall be a class A misdemeanor. It is a class B misdemeanor for a physician, chiropractor, podiatrist or optometrist to certify that an individual or family member is qualified for a license plate or windshield placard based on a disability, the diagnosis of which is outside their scope of practice or if there is no basis for the diagnosis.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 278, Page 33, Section 301.645, Line 17, by inserting after all of said line the following:

“379.1700. As used in sections 379.1700 to 379.1706, the following terms shall mean:

(1) “Digital network”, any online-enabled application, software, website, or system offered or utilized by a transportation network company that enables the prearrangement of rides with transportation network company drivers;

(2) “Personal vehicle”, a vehicle that is used by a transportation network company driver and is:

(a) Owned, leased, or otherwise authorized for use by the transportation network company driver; and

(b) Not a taxicab, limousine, or for-hire vehicle under chapter 390;

(3) “Prearranged ride”, the provision of transportation by a driver to a rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride shall not include shared expense carpool or vanpool arrangements or transportation provided using a taxi, limousine, or other for-hire vehicle under chapter 390;

(4) “Transportation network company”, a corporation, partnership, sole proprietorship, or other entity that is licensed and operating in Missouri that uses a digital network to connect transportation network company riders to transportation network company drivers who provide prearranged rides. A transportation network company shall not be deemed to control, direct, or manage the personal vehicles or transportation network company drivers that connect to its digital network, except if agreed to by written contract;

(5) “Transportation network company driver” or “driver”, an individual who:

(a) Receives connections to potential riders and related services from a transportation network company in exchange for payment of a fee to the transportation network company; and

(b) Uses a personal vehicle to offer or provide a prearranged ride to riders upon connection

through a digital network controlled by a transportation network company in return for compensation or payment of a fee;

(6) “Transportation network company rider” or “rider”, an individual or persons who use a transportation network company’s digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver’s personal vehicle between points chosen by the rider.

379.1702. 1. Beginning April 1, 2016, and thereafter, a transportation network company driver or transportation network company on the driver’s behalf shall maintain primary automobile insurance that:

(1) Recognizes that the driver is a transportation network company driver or otherwise uses a vehicle to transport riders for compensation; and

(2) Covers the driver while the driver is logged on to the transportation network company’s digital network or while the driver is engaged in a prearranged ride.

2. The following automobile insurance requirements shall apply while a participating transportation network company driver is logged on to the transportation network company’s digital network and is available to receive transportation requests but is not engaged in a prearranged ride:

(1) Primary automobile liability insurance in the amount of at least fifty thousand dollars for death and bodily injury per person, one hundred thousand dollars for death and bodily injury per incident, and twenty-five thousand dollars for property damage;

(2) Uninsured motorist coverage in an amount not less than the limits set forth in section 379.203;

(3) The coverage requirements of this subsection may be satisfied by any of the following:

(a) Automobile insurance maintained by the transportation network company driver;

(b) Automobile insurance maintained by the transportation network company; or

(c) Any combination of paragraphs (a) and (b) of this subdivision.

3. The following automobile insurance requirements shall apply while a transportation network company driver is engaged in a prearranged ride:

(1) Primary automobile liability insurance in the amount of at least one million dollars for death, bodily injury, and property damage;

(2) Uninsured motorist coverage in an amount not less than the limits set forth in section 379.203;

(3) The coverage requirements of this subsection may be satisfied by any of the following:

(a) Automobile insurance maintained by the transportation network company driver;

(b) Automobile insurance maintained by the transportation network company; or

(c) Any combination of paragraphs (a) and (b) of this subdivision.

4. If insurance maintained by a driver in subsection 2 or 3 of this section has lapsed or does not provide the required coverage, insurance maintained by a transportation network company shall provide the coverage required by this section beginning with the first dollar of a claim and shall have the duty to defend such claim. If the insurance maintained by the driver does not otherwise exclude coverage for loss or injury while the driver is logged on to a transportation network’s digital network

or while the driver provides a prearranged ride, but does not provide insurance coverage at the minimum limits required by subsection 2 or 3 of this section, the transportation network company shall maintain insurance coverage that provides excess coverage beyond the driver's policy limits up to the limits required by subsection 2 or 3 of this section, as applicable.

5. Coverage under an automobile insurance policy maintained by the transportation network company shall not be dependent on a personal automobile insurer first denying a claim nor shall a personal automobile insurance policy be required to first deny a claim.

6. Insurance required by this section may be placed with an insurer authorized to issue policies of automobile insurance in the state of Missouri or with an eligible surplus lines insurer under chapter 384.

7. Insurance satisfying the requirements of this section shall be deemed to satisfy the motor vehicle financial responsibility requirements for a motor vehicle under chapter 303.

8. A transportation network company driver shall carry proof of coverage satisfying subsections 2 and 3 of this section with him or her at all times during his or her use of a vehicle in connection with a transportation network company's digital network. In the event of an accident, a transportation network company driver shall provide this insurance coverage information to the directly interested parties, automobile insurers, and investigating police officers, upon request under section 303.024. Upon such request, a transportation network company driver shall also disclose to directly interested parties, automobile insurers, and investigating police officers whether the driver was logged on to the transportation network company's digital network or on a prearranged ride at the time of an accident.

379.1704. The transportation network company shall disclose in writing to transportation network company drivers the following before they are allowed to accept a request for a prearranged ride on the transportation network company's digital network:

(1) The insurance coverage, including the types of coverage and the limits for each coverage, that the transportation network company provides while the transportation network company driver uses a personal vehicle in connection with a transportation network company's digital network; and

(2) That the transportation network company driver's own automobile insurance policy might not provide any coverage while the driver is logged on to the transportation network company's digital network and is available to receive transportation requests or is engaged in a prearranged ride depending on the policy's terms.

379.1705. A transportation network company shall make the following disclosure to a prospective driver in the prospective driver's terms of service:

IF THE VEHICLE THAT YOU PLAN TO USE TO PROVIDE TRANSPORTATION NETWORK COMPANY SERVICES HAS A LIEN AGAINST IT, USING THE VEHICLE FOR TRANSPORTATION NETWORK COMPANY SERVICES MAY VIOLATE THE TERMS OF YOUR CONTRACT WITH THE LIENHOLDER.

IF A TRANSPORTATION NETWORK COMPANY'S INSURER MAKES A PAYMENT FOR A CLAIM COVERED UNDER COMPREHENSIVE COVERAGE OR COLLISION COVERAGE, THE TRANSPORTATION NETWORK COMPANY SHALL CAUSE ITS INSURER TO ISSUE THE PAYMENT DIRECTLY TO THE BUSINESS REPAIRING THE VEHICLE OR JOINTLY TO

THE OWNER OF THE VEHICLE AND THE PRIMARY LIENHOLDER ON THE COVERED VEHICLE.

The disclosure set forth in this subsection shall be placed prominently in the prospective driver's written terms of service, and the prospective driver shall acknowledge the terms of service electronically or by signature.

379.1706. 1. Insurers that write automobile insurance in Missouri may exclude or limit any and all coverage afforded under an automobile insurance policy, including a motor vehicle liability policy, issued to an owner or operator of a personal vehicle for any loss or injury that occurs while:

- (1) A driver is logged on to a transportation network company's digital network;
- (2) A driver provides a prearranged ride; or
- (3) A motor vehicle is being used to transport or carry persons or property for any compensation or suggested donation;

2. The right to exclude all coverage under subsection 1 of this section may apply to any coverage included in an automobile insurance policy including, but not limited to:

- (1) Liability coverage for bodily injury and property damage;
- (2) Uninsured and underinsured motorist coverage;
- (3) Medical payments coverage;
- (4) Comprehensive physical damage coverage; and
- (5) Collision physical damage coverage.

Such exclusions shall apply notwithstanding any financial responsibility requirement or uninsured motorist coverage requirement under the motor vehicle financial responsibility law, chapter 303 or section 379.203, respectively. Nothing in this section implies or requires that a personal automobile insurance policy provide coverage while the driver is logged on to the transportation network company's digital network, while the driver is engaged in a prearranged ride, or while the driver otherwise uses a vehicle to transport passengers or property for compensation.

3. Nothing shall be deemed to preclude an insurer from providing coverage for the transportation network company driver's vehicle, if it chooses to do so by contract or endorsement.

4. Automobile insurers that exclude the coverage described in section 379.1702 shall have no duty to defend or indemnify any claim expressly excluded thereunder. Nothing in this section shall be deemed to invalidate or limit an exclusion contained in a policy, including any policy in use or approved for use in Missouri prior to the enactment of this section that excludes coverage for vehicles used to carry persons or property for a charge or available for hire by the public.

5. An automobile insurer that defends or indemnifies a claim against a driver that is excluded under the terms of its policy shall have a right of contribution against other insurers that provide automobile insurance to the same driver in satisfaction of the coverage requirements of section 379.1702 at the time of loss.

6. In a claims coverage investigation, transportation network companies and any insurer potentially providing coverage under section 379.1702 shall cooperate to facilitate the exchange of

relevant information with each other and any insurer of the transportation network company driver if applicable, including the precise times that a transportation network company driver logged on and off of the transportation network company's digital network in the twelve-hour period immediately preceding and in the twelve-hour period immediately following the accident and disclose to one another a clear description of the coverage, exclusions, and limits provided under any automobile insurance maintained under section 379.1702.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 278, Page 33, Section 301.645, Line 17, by inserting the following after all of said line:

“Section 1. Any governmental agency created by the enactment of dual ordinances of any city not within a county and any county with a charter form of government and with more than nine hundred fifty thousand inhabitants under the provisions of section 70.210 for the administration of criminal justice, which provides support to any political subdivision requiring technological assistance with collecting, storing, and disseminating criminal history record information is hereby designated a criminal justice agency for purposes of 28 C.F.R. 20, as of 2014, and shall have all the powers necessary to carry out its purposes.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, Senator Richard submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 613**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 616**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS** for **HB 830**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 233**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 692**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 926**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 807**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 254**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **HCS** for **HB 811**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HB 32**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 592**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 1022**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HB 808**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto

attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HCS** for **HB 538**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 119**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1058**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HB 684**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HB 1149**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **HCS** for **HB 1063**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 686**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 562**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 540**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Dempsey referred **SS** for **SB 540** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON THIRD READING

HB 125, introduced by Representative Black, entitled:

An Act to repeal section 349.045, RSMo, and to enact in lieu thereof one new section relating to industrial development corporation directors.

Was called from the Consent Calendar and taken up by Senator Romine.

On motion of Senator Romine, **HB 125** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senator Emery—1

Absent—Senator Keaveny—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 41, introduced by Representative Wood, with **SCS**, entitled:

An Act to repeal section 163.031 as enacted by house bill no. 1689, ninety-seventh general assembly, second regular session, and to enact in lieu thereof one new section relating to state aid for schools.

Was called from the Consent Calendar and taken up by Senator Kehoe.

SCS for **HB 41**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 41

An Act to repeal sections 163.021 and 165.011, RSMo, section 163.011 as enacted by house bill no. 1689, ninety-seventh general assembly, second regular session, and section 163.031 as enacted by house bill no. 1689, ninety-seventh general assembly, second regular session, and to enact in lieu thereof four new sections relating to state aid for schools.

Was taken up.

Senator Kehoe moved that **SCS** for **HB 41** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SCS** for **HB 41** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Keaveny—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 511, introduced by Representative Mathews, entitled:

An Act to repeal section 72.401, RSMo, and to enact in lieu thereof one new section relating to annexation.

Was called from the Consent Calendar and taken up by Senator Schatz.

On motion of Senator Schatz, **HB 511** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh

Wasson Wieland—34

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 88, introduced by Representative Walton Gray, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of organ donor recognition day.

Was called from the Consent Calendar and taken up by Senator Walsh.

On motion of Senator Walsh, **HB 88** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 326, introduced by Representative Leara, entitled:

An Act to repeal section 105.666, RSMo, and to enact in lieu thereof one new section relating to defined benefit pension plans.

Was called from the Consent Calendar and taken up by Senator Kehoe.

On motion of Senator Kehoe, **HB 326** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 361, introduced by Representative Spencer, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of engineer awareness week in Missouri.

Was called from the Consent Calendar and taken up by Senator Riddle.

On motion of Senator Riddle, **HB 361** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 400, introduced by Representative Peters, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of epilepsy awareness month.

Was called from the Consent Calendar and taken up by Senator Walsh.

On motion of Senator Walsh, **HB 400** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 402, introduced by Representative Phillips, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to Missouri Safe Boating Week.

Was called from the Consent Calendar and taken up by Senator Sater.

On motion of Senator Sater, **HB 402** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 403, introduced by Representative Phillips, with **SCS**, entitled:

An Act to amend chapter 42, RSMo, by adding thereto one new section relating to the designation of Missouri as a Purple Heart State.

Was called from the Consent Calendar and taken up by Senator Sater.

SCS for **HB 403**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 403

An Act to repeal section 301.451, RSMo, and to enact in lieu thereof two new sections relating to veterans awarded the Purple Heart medal.

Was taken up.

Senator Sater moved that **SCS** for **HB 403** be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **HB 403** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 404, introduced by Representative Phillips, entitled:

An Act to repeal section 9.120, RSMo, and to enact in lieu thereof one new section relating to Missouri's Peace Officers Memorial Week.

Was called from the Consent Calendar and taken up by Senator Sater.

On motion of Senator Sater, **HB 404** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 567, introduced by Representative Dunn, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of Alpha Phi Alpha day.

Was called from the Consent Calendar and taken up by Senator Curls.

On motion of Senator Curls, **HB 567** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—33							

NAYS—Senators—None

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 778, introduced by Representative Ruth, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to 22q awareness week.

Was called from the Consent Calendar and taken up by Senator Romine.

On motion of Senator Romine, **HB 778** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 859, introduced by Representative Dunn, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of Jackie Robinson day.

Was called from the Consent Calendar and taken up by Senator Curls.

On motion of Senator Curls, **HB 859** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 861, introduced by Representative Fitzwater (49), entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of multiple sclerosis awareness week in Missouri.

Was called from the Consent Calendar and taken up by Senator Wasson.

On motion of Senator Wasson, **HB 861** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 874, introduced by Representative Remole, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of public holidays.

Was called from the Consent Calendar and taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **HB 874** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 1116, introduced by Representative Rehder, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of ROHHAD awareness day.

Was called from the Consent Calendar and taken up by Senator Libla.

On motion of Senator Libla, **HB 1116** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 1119, introduced by Representative Redmon, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to lineworker appreciation day.

Was called from the Consent Calendar and taken up by Senator Hegeman.

On motion of Senator Hegeman, **HB 1119** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 1052, introduced by Representative Miller, entitled:

An Act to repeal section 327.272, RSMo, and to enact in lieu thereof one new section relating to land surveyors.

Was called from the Consent Calendar and taken up by Senator Wasson.

On motion of Senator Wasson, **HB 1052** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 1098, introduced by Representative Crawford, with **SCS**, entitled:

An Act to repeal section 362.600, RSMo, and to enact in lieu thereof one new section relating to trust companies.

Was called from the Consent Calendar and taken up by Senator Kraus.

SCS for **HB 1098**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1098

An Act to repeal section 362.600, RSMo, and to enact in lieu thereof one new section relating to trust companies.

Was taken up.

Senator Kraus moved that **SCS** for **HB 1098** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **HB 1098** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 391, introduced by Representative Gosen, entitled:

An Act to repeal sections 379.118 and 379.120, RSMo, and to enact in lieu thereof two new sections relating to automobile insurance notice requirements.

Was called from the Consent Calendar and taken up by Senator Parson.

On motion of Senator Parson, **HB 391** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 343, introduced by Representative Lair, with **SCS**, entitled:

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to the money follows the person demonstration program.

Was called from the Consent Calendar and taken up by Senator Wieland.

SCS for **HB 343**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 343

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to the money follows the person demonstration program.

Was taken up.

Senator Wieland moved that **SCS** for **HB 343** be adopted, which motion prevailed.

On motion of Senator Wieland, **SCS** for **HB 343** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Wasson
Wieland—33							

NAYS—Senators—None

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 947, introduced by Representative Wiemann, with **SCS**, entitled:

An Act to authorize the conveyance of certain state properties.

Was called from the Consent Calendar and taken up by Senator Wallingford.

SCS for **HB 947**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 947

An Act to authorize the conveyance of certain state properties.

Was taken up.

Senator Wallingford moved that **SCS** for **HB 947** be adopted, which motion prevailed.

On motion of Senator Wallingford, **SCS** for **HB 947** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 179, introduced by Representative Chipman, entitled:

An Act to repeal section 302.188, RSMo, and to enact in lieu thereof one new section relating to veteran designation on driver's licenses.

Was called from the Consent Calendar and taken up by Senator Brown.

On motion of Senator Brown, **HB 179** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 269, introduced by Representative Miller, entitled:

An Act to repeal section 306.100, RSMo, and to enact in lieu thereof one new section relating to motorboats.

Was called from the Consent Calendar and taken up by Senator Kehoe.

On motion of Senator Kehoe, **HB 269** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 650, introduced by Representative Cornejo, entitled:

An Act to repeal section 307.128, RSMo, and to enact in lieu thereof one new section relating to auxiliary lighting on motorcycles.

Was called from the Consent Calendar and taken up by Senator Schaefer.

On motion of Senator Schaefer, **HB 650** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 869, introduced by Representative Solon, entitled:

An Act to repeal section 144.450, RSMo, and to enact in lieu thereof one new section relating to taxation on motor vehicles.

Was called from the Consent Calendar and taken up by Senator Schatz.

On motion of Senator Schatz, **HB 869** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Kraus moved that **SCS** for **SB 336**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 336**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 336

An Act to repeal section 143.191, RSMo, and to enact in lieu thereof one new section relating to income tax withholding on tips.

Was taken up.

Senator Kraus moved that **HCS** for **SCS** for **SB 336** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kraus, **HCS** for **SCS** for **SB 336** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SB 13**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schatz moved that the Senate refuse to concur in **HCS** for **SS** for **SB 278**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Kraus moved that **SS** for **SCS** for **HCS** for **HBs 517** and **754** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HCS** for **HBs 517** and **754** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 67**, as amended: Senators Cunningham, Wasson, Kehoe, Nasheed and Holsman.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 17**, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2015 and ending June 30, 2016.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 18**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2015 and ending June 30, 2016.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 19**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation,

modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2015 and ending June 30, 2016.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Dixon introduced to the Senate, Laura Geuea and Lily Curtman, Springfield; and Lily was made an honorary page.

Senator Dixon introduced to the Senate, the Honorable Nancy Kibaba, Bungoma, Kenya; and Chelsea McMurray, Springfield.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-THIRD DAY—TUESDAY, MAY 5, 2015

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1048
HCS for HB 513
HB 824-Korman
HCS for HB 122
HCS for HB 479
HB 612-Fitzwater
HCS for HB 530
HB 1054-Spencer
HCS for HB 1044

HCS for HB 207
HCS for HB 565
HCS for HB 180
HCS for HB 1179
HB 1330-Cross
HCS for HB 17
HCS for HB 18
HCS for HB 19

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)
SCS for SB 56-Munzlinger
(In Fiscal Oversight)

SS for SB 201-Dixon (In Fiscal Oversight)
SB 203-Dixon (In Fiscal Oversight)
SB 352-Schaefer (In Fiscal Oversight)
SS for SB 540-Libla (In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

1. HCS for HJR 34, with SCS (Schmitt)
2. HCS for HB 882-McGaugh, with SCS
(Munzlinger) (In Fiscal Oversight)
3. HCS for HB 478-Fitzwater (Wallingford)
4. HCS for HBs 578, 574 & 584, with SCS
(Riddle) (In Fiscal Oversight)
5. HB 401-Fraker, with SCS (Sater)
6. HB 279-Cornejo, with SCS (Schmitt)
(In Fiscal Oversight)
7. HB 100-Gosen, with SCS (Parson)
(In Fiscal Oversight)
8. HB 1093-Houghton (Riddle)
9. HCS for HB 112 (Wasson)
10. HCS for HB 385
11. HCS for HB 618, with SCS (Wasson)
12. HB 799-Roeber, with SCS (Dixon)
(In Fiscal Oversight)
13. HCS for HB 104 (Schaefer)
14. HCS for HB 33, with SCS (Parson)
15. HB 529-Gosen, with SCS (Parson)
(In Fiscal Oversight)
16. HCS for HB 864 (Holsman)
17. HB 440-Koenig (Kraus)
18. HB 502-Kelley, with SCS (Kraus)
19. HCS for HB 769 (Onder)
20. HB 1070-Davis, with SCS
(In Fiscal Oversight)
21. HB 923-Miller, with SCS (Kehoe)
22. HCS for HB 714 (Wallingford)
(In Fiscal Oversight)
23. HCS for HB 1084 (Romine)
24. HCS for HB 796, with SCS (Sater)
(In Fiscal Oversight)
25. HCS for HB 976, with SCS (Sater)
(In Fiscal Oversight)
26. HCS for HB 137 (Silvey)
(In Fiscal Oversight)
27. HB 523-Burlison, with SCS (Brown)
28. HBs 522, 34, 133, 134, 810, 338 &
873-Cookson, with SCS (Libla)
29. HCS for HB 613, with SCS (Parson)
30. HB 616-Dohrman (Kraus)
31. HCS for HB 830, with SCS (Munzlinger)
32. HB 233-Franklin, with SCS (Parson)
33. HCS for HB 692, with SCS
34. HCS for HB 926 (Cunningham)
35. HCS for HB 807, with SCS
36. HB 254-Crawford, with SCS (Parson)
37. HCS for HB 811, with SCS (Riddle)
38. HB 32-Hoskins (Pearce)
39. HCS for HB 592
40. HB 1022-Gosen
41. HB 808-Cornejo, with SCS
42. HCS for HB 538, with SCS (Brown)
43. HCS for HB 119 (Wallingford)
44. HCS for HB 1058, with SCS (Brown)
45. HB 684-Koenig
46. HB 1149-Lauer, with SCS (Romine)
47. HCS for HB 1063 (Dixon)
48. HB 686-Hinson, with SCS
49. HB 562-Davis

INFORMAL CALENDAR**THIRD READING OF SENATE BILLS**

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

SB 17-Dixon	SB 305-Onder
SB 37-Romine, with SCS & SA 1 (pending)	SB 313-Wallingford, with SCS
SB 44-Nasheed, with SCS, SS for SCS & SA 1 (pending)	SBs 331 & 21-Libla, with SCS & SS for SCS (pending)
SB 46-Holsman	SB 339-Munzlinger, with SS (pending)
SB 53-Schaaf, with SS#2 (pending)	SB 358-Kehoe
SB 55-Munzlinger	SB 360-Parson, with SCS
SB 59-Dixon	SB 371-Munzlinger
SB 69-LeVota, with SCS	SB 372-Keaveny, with SCS (pending)
SB 80-Dixon, with SCS	SB 374-Schatz, with SCS
SB 91-Dixon, with SCS	SB 399-Onder
SBs 112, 212, 143 & 234-Dixon, with SCS	SB 400-Onder, with SS (pending)
SB 117-Brown, with SCS	SB 409-Wallingford, with SCS
SB 127-Brown, with SCS	SB 420-Schmitt
SB 130-Walsh and Schupp, with SCS	SB 424-Pearce, with SA 1 (pending)
SB 151-Sater	SB 427-Sifton, with SCS
SB 159-Parson	SB 432-Onder, with SCS
SB 167-Schaaf, with SCS	SB 442-Schaefer
SB 177-Munzlinger, with SCS	SBs 451, 307, 100 & 165-Dixon, with SCS
SB 220-Kehoe	SB 452-Schmitt, et al, with SA 1 & point of order (pending)
SB 225-Romine, with SCS	SB 455-Kehoe
SB 227-Emery, with SS (pending)	SB 469-Munzlinger
SB 232-Kehoe, with SCS (pending)	SB 471-Schaaf
SB 233-Kehoe, with SCS & SA 2 (pending)	SB 481-Onder, with SCS
SB 266-Schaefer, with SCS	SB 520-Kehoe, with SCS
SB 267-Schaefer, with SCS	SB 528-Sater
SB 268-Pearce, with SCS	SB 567-Chappelle-Nadal, et al
SB 286-Schaaf and Silvey	SJR 7-Richard and Wallingford
SB 299-Pearce	SJR 12-Onder, with SCS (pending)
SB 302-Riddle, with SCS (pending)	
SB 304-Keaveny, with SCS	

HOUSE BILLS ON THIRD READING

HB 92-Miller (Kehoe)	HB 336-McGaugh (Kraus)
HB 108-McCaherty (Dixon)	HB 533-Dugger, with SCS (Wasson)
HB 190-Swan (Wallingford)	SS for SCS for HB 556-Wood (Riddle)
HB 271-Hoskins (Dixon)	(In Fiscal Oversight)
HCS for HB 299, with SCS (Kraus)	HB 589-Hough, with SCS (Onder)

HCS for HB 709, with SCS (Parson)
HCS for HB 722, with SS & point of order
(pending) (Kehoe)

HCS for HB 777 (Kraus)
HB 836-Ross (Libla)
HJR 1-Dugger (Kraus)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 156-Nasheed, with HCS, as amended
SB 164-Sifton, with HCS

SB 221-Schatz, with HCS
SB 244-Schmitt, with HCS

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS for SCS for SB 5-Schmitt, with HCS,
as amended
SS#2 for SCS for SB 11-Richard, with HA 1,
HA 2, as amended, HA 3, as
amended & HA 4
SS for SCS for SB 67-Cunningham, with
HCS, as amended
SB 104-Kraus, with HCS, as amended
(House grants further conference)
SCS for SB 152-Wallingford, with HCS, as
amended (Senate requests House grant
further conference)
SB 254-Kraus, with HCS, as amended

SCS for SB 270-Nasheed, with HCS, as
amended
SB 282-Parson, with HCS, as amended
SB 283-Kehoe, with HCS, as amended
SB 446-Schupp and Brown, with HA 1 &
HA 2, as amended
SCS for SB 473-Schaaf, with HCS, as
amended
HCS for HB 42 with SCS, as amended
(Pearce)
HB 458-Allen, with SS for SCS, as
amended (Schmitt)

Requests to Recede or Grant Conference

SB 13-Munzlinger, with HCS, as amended
(Senate requests House recede or
grant conference)
SS for SCS for SB 115-Kraus, with HCS,
as amended (Senate requests House
recede or grant conference)
SCS for SB 172-Romine, with HCS, as
amended (Senate requests House
recede or grant conference)

SS for SCS for SB 278-Schatz, with HCS,
as amended (Senate requests House
recede or grant conference)
SCS for SB 300-Silvey, with HCS, as
amended (Senate requests House
recede or grant conference)
SCS for SB 445-Romine, with HCS, as
amended (Senate requests House
recede or grant conference)

HB 152-Haahr, with SCS, as amended
(Onder) (House requests Senate
recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 39-Dixon and Holsman
SCR 40-Romine
HCR 18-McCann (Curls)

HCR 26-Shull
HCS for HCR 32 (Romine)
HCR 34-Rowland (Cunningham)

✓

Journal of the Senate

FIRST REGULAR SESSION

SIXTY-THIRD DAY—TUESDAY, MAY 5, 2015

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

“The fear of the Lord is the beginning of wisdom, and the knowledge of the Holy One is insight.” (Proverbs 9:10)

O God of hope, we are grateful for the gift of each new day and this season of rebirth. We see the unfolding of flowers and budding trees, of birds singing and animals frolicking, and know You are present. We are uplifted by Your word and the teaching of it and know You are God. Provide us the wisdom we need this day to see Your hand in all that is around us and grant us to be wise in the bills we pass that they benefit this world. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 1035, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Harry Seltzer, St. Louis, which was adopted.

Senator Cunningham offered the following resolution:

SENATE RESOLUTION NO. 1036

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Senate has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

WHEREAS, The Constitution Project is a fun, yet intensive, interactive competition for high school students to gain experience in fields of journalism, crime scene investigation and trial advocacy:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, that The Constitution Project be hereby granted permission to use the Senate Chamber from 10:00 a.m. to 3:00 p.m. on Tuesday, September 15, 2015, for the purpose of conducting a mock session.

Senator Cunningham requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1036** up for adoption, which request was granted.

On motion of Senator Cunningham, **SR 1036** was adopted.

Senator Hegeman offered Senate Resolution No. 1037, regarding Logan Trickel, Trenton, which was adopted.

Senator Hegeman offered Senate Resolution No. 1038, regarding Robin G. Connell, which was adopted.

Senator Hegeman offered Senate Resolution No. 1039, regarding Kay Boyer, which was adopted.

Senator Hegeman offered Senate Resolution No. 1040, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Wyatt Burch, King City, which was adopted.

Senator Riddle offered Senate Resolution No. 1041, regarding Corrections Officer I, Lacie Tarrants, which was adopted.

Senator Dixon offered Senate Resolution No. 1042, regarding David Carr, Nixa, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 300**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 172**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SCS** for **SB 115**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 445**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate further conference on **HCS** for **SCS** for **SB 152**, as amended.

Also,

The Speaker has appointed the following conferees: Representatives Miller, Corlew, Hubrecht, Smith and Nichols.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HB 615** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SCS** for **SB 115**, as amended. Representatives: Miller, Rowden, Koenig, Carpenter and Butler.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 300**, as amended. Representatives: Leara, Johnson, Taylor, Webber and Kendrick.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 172**, as amended. Representatives: Swan, Rowland, Lair, Montecillo and McNeil.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 445**, as amended. Representatives: Miller, Remole, Bondon, Smith and Nichols.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 115**, as amended: Senators Kraus, Onder, Wallingford Walsh and Schupp.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 300**, as amended: Senators Silvey, Parson, Schaaf, Keaveny and Curls.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 172**, as amended: Senators Romine, Pearce, Wallingford, Keaveny and Schupp.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 445**, as amended: Senators Romine, Kehoe, Wallingford, Schupp and Holsman.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HB 1048**—Jobs, Economic Development and Local Government.

HCS for **HB 513**—Ways and Means.

HB 824—Commerce, Consumer Protection, Energy and the Environment.

HCS for **HB 122**—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 479**—Agriculture, Food Production and Outdoor Resources.

HB 612—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 530**—Jobs, Economic Development and Local Government.

HB 1054—Education.

HCS for **HB 1044**—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 207**—Jobs, Economic Development and Local Government.

HCS for **HB 565**—Education.

HCS for **HB 180**—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 1179**—Financial and Governmental Organizations and Elections.

HB 1330—Financial and Governmental Organizations and Elections.

HCS for **HB 17**—Appropriations.

HCS for **HB 18**—Appropriations.

HCS for **HB 19**—Appropriations.

HOUSE BILLS ON THIRD READING

Senator Kehoe moved that **HCS** for **HB 722**, with **SS** and point of order (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

President Pro Tem Dempsey ruled the point of order not well taken.

SS for **HCS** for **HB 722** was again taken up.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 722, Page 1, Section 285.055, Lines 15-16, by striking all of said lines; and

Further amend said bill and section, page 2, lines 6-13, by striking all of said lines from the bill; and

Further renumber the remaining subdivisions accordingly; and

Further amend lines 16-22, by striking all of said lines from the bill; and

Further renumber the remaining subsection accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator Romine assumed the Chair.

President Kinder assumed the Chair.

Senator Keaveny requested a roll call vote be taken on the adoption of **SA 1**. He was joined in his request by Senators Kehoe, Chappelle-Nadal, Curls and Walsh.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	LeVota	Nasheed	Schupp	Sifton
Walsh—9							

NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson
Wieland—25							

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Sifton offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 722, Page 2, Section 285.055, Line 22, by inserting after all of said line the following: **“The provisions of this subsection shall not preempt any state law or local minimum wage ordinance requirements in effect on August 28, 2015.”**

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Dixon assumed the Chair.

Senator Nasheed offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Committee Substitute for House Bill No. 722, Page 2, Section 285.055, Lines 23-25, by striking all of said lines from the bill.

Senator Nasheed moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Chappelle-Nadal offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for House Committee Substitute for House Bill No. 722, Page 1, Section 260.283, Line 12, by inserting immediately at the end of said line the following:

“No political subdivision shall prohibit a consumer from using a reusable bag for the packaging of any item or good purchased from a merchant, itinerant vendor, or peddler.”.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator LeVota offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for House Committee Substitute for House Bill No. 722, Page 2, Section 285.055, Line 25, by inserting immediately after said line the following:

“290.502. 1. Except as may be otherwise provided pursuant to sections 290.500 to 290.530, effective January 1, [2007] **2016, the minimum wage rate that** every employer shall pay to each employee [wages at the rate of \$6.50] **shall be either no less than \$10.00** per hour, or wages at the same rate or rates set under the provisions of federal law as the prevailing federal minimum wage applicable to those covered jobs in interstate commerce, whichever rate per hour is higher.

2. The minimum wage **rate provided for in subsection 1 of this section shall ,whether or not such wage is derived from the statutory minimum or the adoption of the federal minimum as required in subsection 1 of this section,** increased or decreased on January 1, [2008] **2017**, and on January 1 of successive years, by the increase or decrease in the cost of living. On September 30, [2007] **2016**, and on each September 30 of each successive year, the director shall measure the increase or decrease in the cost of living by the percentage increase or decrease as of the preceding July over the level as of July of the immediately preceding year of the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) or successor index as published by the U.S. Department of Labor or its successor agency, with the amount of the minimum wage increase or decrease rounded to the nearest five cents.”; and

Further amend the title and enacting clause accordingly.

Senator LeVota moved that the above amendment be adopted.

Senator Kehoe raised the point of order that **SA 5** is out of order as it goes beyond the scope and purpose of the bill. The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Nasheed offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for House Committee Substitute for House Bill No. 722, Page 2, Section 285.055, Lines 6-13, by striking said lines and further amend lines 18-19 by striking said lines and inserting in lieu thereof the following:

“a minimum wage.”

Senator Nasheed moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Curls, LeVota, Schupp and Walsh.

SA 6 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Holsman	Keaveny	LeVota	Nasheed	Schupp	Sifton	Walsh—8
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NAYS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine
Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson
Wieland—25							

Absent—Senator Curls—1

Absent with leave—Senators—None

Vacancies—None

Senator Nasheed offered **SA 7**, which was read:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 722, Page 1, Section A, Line 3, by inserting immediately after all of said line the following:

“213.055. 1. It shall be an unlawful employment practice:

(1) For an employer, because of the race, color, religion, national origin, sex, ancestry, age or disability of any individual:

(a) To fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual’s race, color, religion, national origin, sex, ancestry, age or disability;

(b) To limit, segregate, or classify his employees or his employment applicants in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual’s race, color, religion, national origin, sex, ancestry, age or disability;

(2) For a labor organization to exclude or to expel from its membership any individual or to discriminate in any way against any of its members or against any employer or any individual employed by an employer because of race, color, religion, national origin, sex, ancestry, age or disability of any individual; or to limit, segregate, or classify its membership, or to classify or fail or refuse to refer for employment any individual,

in any way which would deprive or tend to deprive any individual of employment opportunities, or would limit such employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of such individual's race, color, religion, national origin, sex, ancestry, age or disability; or for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs to discriminate against any individual because of his race, color, religion, national origin, sex, ancestry, age or disability in admission to, or employment in, any program established to provide apprenticeship or other training;

(3) For any employer or employment agency to print or circulate or cause to be printed or circulated any statement, advertisement or publication, or to use any form of application for employment or to make any inquiry in connection with prospective employment, which expresses, directly or indirectly, any limitation, specification, or discrimination, because of race, color, religion, national origin, sex, ancestry, age or disability unless based upon a bona fide occupational qualification or for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of his race, color, religion, national origin, sex, ancestry, age as it relates to employment, or disability, or to classify or refer for employment any individual on the basis of his race, color, religion, national origin, sex, ancestry, age or disability;

(4) For a public employer to inquire into or consider the criminal record of an applicant for employment until the employer has either extended a conditional offer of employment to the applicant or has conducted an interview with the applicant. For purposes of this subdivision, a conditional offer of employment is an offer of employment that is dependent on the successful completion of the following: medical examination; drug test; and background investigation. Once a conditional offer has been made or the interview has been conducted, the applicant's criminal record may be considered as part of the background check. The employer shall consider the following factors in evaluating the applicant and the results of any criminal history inquiry:

(a) The nature of the offense;

(b) Any information pertaining to the degree of rehabilitation and good conduct, including any information produced by the applicant, or produced on his or her behalf;

(c) Whether the prospective job provides an opportunity for the commission of a similar offense;

(d) Whether the circumstances leading to the offense are likely to reoccur;

(e) The length of time that has elapsed since the offense; and

(f) Whether there is a rational relationship between the offense and the duties and responsibilities of the position.

After considering the above factors, an employer may determine in its discretion whether or not to revoke any conditional offer of employment that may have been extended to an applicant.

2. Notwithstanding any other provision of this chapter, it shall not be an unlawful employment practice for an employer to apply different standards of compensation, or different terms, conditions or privileges of employment pursuant to a bona fide seniority or merit system, or a system which measures earnings by quantity or quality of production or to employees who work in different locations, provided that such differences or such systems are not the result of an intention or a design to discriminate, and are not used to discriminate, because of race, color, religion, sex, national origin, ancestry, age or disability, nor shall it be an unlawful employment practice for an employer to give and to act upon the results of any

professionally developed ability test, provided that such test, its administration, or action upon the results thereof, is not designed, intended or used to discriminate because of race, color, religion, national origin, sex, ancestry, age or disability.

3. Nothing contained in this chapter shall be interpreted to require any employer, employment agency, labor organization, or joint labor-management committee subject to this chapter to grant preferential treatment to any individual or to any group because of the race, color, religion, national origin, sex, ancestry, age or disability of such individual or group on account of an imbalance which may exist with respect to the total number or percentage of persons of any race, color, religion, national origin, sex, ancestry, age or disability employed by any employer, referred or classified for employment by any employment agency or labor organization, admitted to membership or classified by any labor organization, or admitted to or employed in any apprenticeship or other training program, in comparison with the total number or percentage of persons of such race, color, religion, national origin, sex, ancestry, age or disability in any community, state, section, or other area, or in the available workforce in any community, state, section, or other area.

4. Notwithstanding any other provision of this chapter, it shall not be an unlawful employment practice for the state or any political subdivision of the state to comply with the provisions of 29 U.S.C. 623 relating to employment as firefighters or law enforcement officers.

5. Subdivision (4) of subsection 1 of this section does not apply to any state, county or municipal law enforcement agency, the department of corrections, any county or municipal governmental entity responsible for housing or incarcerating individuals charged with or convicted of any offense, or any position where federal or state law requires or expressly permits the consideration of an applicant's criminal history.”; and

Further amend said bill, page 2, section 285.055, lines 23-25, by striking all of said lines; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

At the request of Senator Nasheed, the above amendment was withdrawn.

At the request of Senator Kehoe, **SS** for **HCS** for **HB 722** was withdrawn.

Senator Hegeman offered **SS No. 2** for **HCS** for **HB 722**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 722

An Act to amend chapters 260 and 285, RSMo, by adding thereto two new sections relating to prohibited ordinances by political subdivisions.

Senator Hegeman moved that **SS No. 2** for **HCS** for **HB 722** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SS No. 2** for **HCS** for **HB 722** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Richard	Riddle	Romine	Sater

Schaaf Schaefer Schatz Schmitt Silvey Wallingford Wasson Wieland—24

NAYS—Senators

Chappelle-Nadal Curls Holsman Keaveny LeVota Nasheed Pearce Schupp
Sifton Walsh—10

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 341**, entitled:

An Act to repeal sections 210.003, 210.221, 210.861, 455.010, 455.020, 455.032, 455.040, 455.045, 455.050, 455.080, 455.503, 455.505, 455.513, 455.520, and 455.523, RSMo, section 455.085 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 455.085 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, section 455.538 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 455.538 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, and to enact in lieu thereof twenty-one new sections relating to the protection of vulnerable persons, with penalty provisions.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 341, Page 6, Section 210.223, Line 7, by striking “If” and inserting the following: “**When in the opinion of the infant’s licensed health care provider,**” and further amend said line, by inserting immediately after “arrangements” the following: “**that differ from those set forth in the most recent sleep recommendations of the American Academy of Pediatrics**”; and

Further amend said bill and section, page 7, line 29, by inserting immediately after “Pediatrics” the following: “**, including but not limited to 19CSR 30.62-092 (1) C which permits the use of bumper pads in cribs or playpens**”.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 341, Page 8, Section 210.861, Line 32, by inserting immediately after the word, “**county**” the words, “**, excluding any**”

county with a charter form of government and with more than nine hundred fifty thousand inhabitants”; and

Further amend said bill and section, Page 9, Line 51, by inserting immediately after the first occurrence of the word, “**county**” the words, “, **excluding any county with a charter form of government and with more than nine hundred fifty thousand inhabitants,**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Conference Committee Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill 24, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on Conference Committee Substitute for House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill 24.

AYES: 113

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes	Basye
Beard	Bernskoetter	Berry	Bondon	Brattin	Brown 57	Brown 94	Burlison
Chipman	Cierpiot	Conway 104	Cookson	Corlew	Cornejo	Crawford	Cross
Curtman	Davis	Dogan	Dohrman	Dugger	Eggleston	Engler	English
Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Gosen	Haahr	Haefner	Hansen	Harris	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton	Hubrecht	Hurst	Johnson
Jones	Justus	Keeney	Kelley	Kidd	King	Koenig	Kolkmeier
Lair	Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Mathews
McCaherty	McDaniel	McGaugh	Messenger	Miller	Moon	Morris	Muntzel
Neely	Pfautsch	Phillips	Pietzman	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Richardson	Roden	Roeber	Rone	Ross	Rowden
Rowland	Ruth	Shaul	Shumake	Solon	Sommer	Spencer	Swan
Taylor	Vescovo	Walker	White	Wiemann	Wilson	Wood	Zerr

Mr. Speaker

NOES: 42

Adams	Anders	Arthur	Burns	Butler	Carpenter	Colona	Conway 10
Curtis	Ellington	Green	Hubbard	Hummel	Kendrick	Kirkton	Kratky
LaFaver	Lavender	Marshall	May	McCann Beatty	McCreery	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Montecillo	Morgan	Nichols	Norr
Otto	Pace	Peters	Pierson	Pogue	Rizzo	Runions	Smith
Walton Gray	Webber						

ABSENT: 7

Black	Dunn	Gardner	Korman	Newman	Parkinson	Shull
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VACANCIES: 1

PRIVILEGED MOTIONS

Senator Onder moved that the Senate refuse to recede from its position on **SCS** for **HB 152**, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Schatz moved that the Senate refuse to recede from its position on **SCS** for **HB 615**, as amended, and grant the House a conference thereon, which motion prevailed.

RE-REFERRALS

President Pro Tem Dempsey re-referred **HB 180** to the Committee on Transportation, Infrastructure and Public Safety.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HB 152**: Senators Onder, Dixon, Riddle, Sifton and Keaveny.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS** for **HB 615**: Senators Schatz, Romine, Libla, Walsh and Sifton.

RESOLUTIONS

Senator Wieland offered Senate Resolution No. 1043, regarding Ernest Ray Tucker, Imperial, which was adopted.

Senator Brown offered Senate Resolution No. 1044, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Werner Cottrill, Salem, which was adopted.

Senator Cunningham offered Senate Resolution No. 1045, regarding the Seventy-fifth Anniversary of the Seymour Lions Club, which was adopted.

Senator Schaaf offered Senate Resolution No. 1046, regarding Alex Moraes, Brownstown, Pennsylvania, which was adopted.

On motion of Senator Richard, the Senate adjourned until 5:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SCS** for **SB 278**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 13**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 224**.

Emergency clause defeated.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 210**, entitled:

An Act to repeal sections 190.839, 198.439, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof seven new sections relating to reimbursement allowance taxes.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, In the Title, Line 3, by deleting the words “reimbursement allowance taxes” and inserting in lieu thereof the words “health care”; and

Further amend said bill and page, Section 198.439, Line 1, by inserting after all of said line and section the following:

“208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy persons as defined in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the age of sixty-five years and over the age of twenty-one years; provided that the MO HealthNet division shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the MO HealthNet children’s diagnosis length-of-stay schedule; and provided further that the MO HealthNet division shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the MO HealthNet division not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for participants, except to persons with more than five hundred thousand dollars equity in their home or except for persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority

of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. Section 301, et seq.), as amended, for nursing facilities. The MO HealthNet division may recognize through its payment methodology for nursing facilities those nursing facilities which serve a high volume of MO HealthNet patients. The MO HealthNet division when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the participant is on a temporary leave of absence from the hospital or nursing home, provided that no such participant shall be allowed a temporary leave of absence unless it is specifically provided for in his plan of care. As used in this subdivision, the term "temporary leave of absence" shall include all periods of time during which a participant is away from the hospital or nursing home overnight because he is visiting a friend or relative;

(6) Physicians' services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) Drugs and medicines when prescribed by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

(8) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

(9) Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and federal regulations promulgated thereunder;

(10) Home health care services;

(11) Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions unless such abortions are certified in writing by a physician to the MO HealthNet agency that, in the physician's professional judgment, the life of the mother would be endangered if the fetus were carried to term;

(12) Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. Section 1396d, et seq.);

(13) Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

(14) Personal care services which are medically oriented tasks having to do with a person's physical requirements, as opposed to housekeeping requirements, which enable a person to be treated by his or her

physician on an outpatient rather than on an inpatient or residential basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the participant's family who is qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one participant one hundred percent of the average statewide charge for care and treatment in an intermediate care facility for a comparable period of time. Such services, when delivered in a residential care facility or assisted living facility licensed under chapter 198 shall be authorized on a tier level based on the services the resident requires and the frequency of the services. A resident of such facility who qualifies for assistance under section 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the fewest services. The rate paid to providers for each tier of service shall be set subject to appropriations. Subject to appropriations, each resident of such facility who qualifies for assistance under section 208.030 and meets the level of care required in this section shall, at a minimum, if prescribed by a physician, be authorized up to one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident's personal physician. Such authorized units of personal care services or tier level shall be transferred with such resident if he or she transfers to another such facility. Such provision shall terminate upon receipt of relevant waivers from the federal Department of Health and Human Services. If the Centers for Medicare and Medicaid Services determines that such provision does not comply with the state plan, this provision shall be null and void. The MO HealthNet division shall notify the revisor of statutes as to whether the relevant waivers are approved or a determination of noncompliance is made;

(15) Mental health services. The state plan for providing medical assistance under Title XIX of the Social Security Act, 42 U.S.C. Section 301, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices

of a therapeutic team as a part of client services management. As used in this section, mental health professional and alcohol and drug abuse professional shall be defined by the department of mental health pursuant to duly promulgated rules. With respect to services established by this subdivision, the department of social services, MO HealthNet division, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the MO HealthNet division. The agreement shall establish a mechanism for the joint implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

(16) Such additional services as defined by the MO HealthNet division to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. Section 301, et seq.) subject to appropriation by the general assembly;

(17) The services of an advanced practice registered nurse with a collaborative practice agreement to the extent that such services are provided in accordance with chapters 334 and 335, and regulations promulgated thereunder;

(18) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection to reserve a bed for the participant in the nursing home during the time that the participant is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO HealthNet certified licensed beds, according to the most recent quarterly census provided to the department of health and senior services which was taken prior to when the participant is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per hospital stay;

(c) For each day that nursing home costs are paid on behalf of a participant under this subdivision during any period of six consecutive months such participant shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the participant or the participant's responsible party that the participant intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the participant or the participant's responsible party prior to release of the reserved bed;

(19) Prescribed medically necessary durable medical equipment. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(20) Hospice care. As used in this subdivision, the term “hospice care” means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(21) Prescribed medically necessary dental services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(22) Prescribed medically necessary optometric services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(23) Blood clotting products-related services. For persons diagnosed with a bleeding disorder, as defined in section 338.400, reliant on blood clotting products, as defined in section 338.400, such services include:

(a) Home delivery of blood clotting products and ancillary infusion equipment and supplies, including the emergency deliveries of the product when medically necessary;

(b) Medically necessary ancillary infusion equipment and supplies required to administer the blood clotting products; and

(c) Assessments conducted in the participant’s home by a pharmacist, nurse, or local home health care agency trained in bleeding disorders when deemed necessary by the participant’s treating physician;

(24) The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the status of MO HealthNet provider reimbursement rates as compared to one hundred percent of the Medicare reimbursement rates and compared to the average dental reimbursement rates paid by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008, provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement rates and for third-party payor average dental reimbursement rates. Such plan shall be subject to appropriation and the division shall include in its annual budget request to the governor the necessary funding needed to complete the four-year plan developed under this subdivision.

2. Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Dental services;

(2) Services of podiatrists as defined in section 330.010;

(3) Optometric services as defined in section 336.010;

(4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;

(5) Hospice care. As used in this subdivision, the term “hospice care” means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The MO HealthNet division shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3. The MO HealthNet division may require any participant receiving MO HealthNet benefits to pay part of the charge or cost until July 1, 2008, and an additional payment after July 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered services except for those services covered under subdivisions (14) and (15) of subsection 1 of this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. Section 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, and a generic drug is substituted for a name-brand drug, the MO HealthNet division may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all participants the additional payment that may be required by the MO HealthNet division under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by participants under this section shall be in addition to and not in lieu of payments made by the state for goods or services described herein except the participant portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a

participant is unable to pay a required payment. If it is the routine business practice of a provider to terminate future services to an individual with an unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give participants advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a participant. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the [Missouri] MO HealthNet state plan amendment submitted by the department of social services that would allow a provider to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

4. The MO HealthNet division shall have the right to collect medication samples from participants in order to maintain program integrity.

5. Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for MO HealthNet benefits at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. Section 1396a and federal regulations promulgated thereunder.

6. Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for MO HealthNet benefits under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. Section 1396a, as amended, and regulations promulgated thereunder.

9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the MO HealthNet program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. Section 1396a (a)(13)(C).

10. The MO HealthNet division, may enroll qualified residential care facilities and assisted living facilities, as defined in chapter 198, as MO HealthNet personal care providers.

11. Any income earned by individuals eligible for certified extended employment at a sheltered workshop under chapter 178 shall not be considered as income for purposes of determining eligibility under this section.

12. If the Missouri Medicaid audit and compliance unit changes any interpretation or application of the requirements for reimbursement for MO HealthNet services from the interpretation or application that has been applied previously by the state in any audit of a MO HealthNet provider, the Missouri Medicaid audit and compliance unit shall notify all affected MO HealthNet providers five business days before such change shall take effect. Failure of the Missouri Medicaid audit and compliance unit to notify a provider of such change shall entitle the provider to continue to receive and retain reimbursement until such notification is provided and shall waive any liability of such provider for recoupment or other loss of any payments previously made prior to the five business days after such notice has been sent. Each provider shall provide the Missouri Medicaid audit and compliance unit a valid email address and shall agree to receive communications electronically. The notification required under this section shall be delivered in writing by the United States Postal Service or electronic mail to each provider.

13. Nothing in this section shall be construed to abrogate or limit the department's statutory requirement to promulgate rules under chapter 536."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 210, Page 1, Sections 190.839, Line 1, by deleting the number "**2016**" and inserting the number "**2017**"; and

Further amend said bill, page, Section 198.439, Line 1, by deleting the number "**2016**" and inserting the number "**2017**"; and

Further amend said bill, Page 2, Section 208.437, Line 26, by deleting the number "**2016**" and inserting the number "**2017**"; and

Further amend said bill, page, Section 208.480, Line 2, by deleting the number "**2016**" and inserting the number "**2017**"; and

Further amend said bill, Section 338.550, page, Line 9, and Page 3, Line 16, by deleting the number "**2016**" and inserting the number "**2017**"; and

Further amend said bill, Page 5, Section 633.401, Line 97, by deleting the number "**2016**" and inserting the number "**2017**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS for SB 345**.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 345, Page 1, Lines 4 and 5 of the Title by deleting all of said lines and inserting in lieu thereof the following:

“financial transactions, with an existing penalty provision.”; and

Further amend said bill, Page 6, Section 407.640, Line 27, by inserting after said line the following:

“408.140. 1. No further or other charge or amount whatsoever shall be directly or indirectly charged, contracted for or received for interest, service charges or other fees as an incident to any such extension of credit except as provided and regulated by sections 367.100 to 367.200 and except:

(1) On loans for thirty days or longer which are other than “open-end credit” as such term is defined in the federal Consumer Credit Protection Act and regulations thereunder, a fee, not to exceed ten percent of the principal amount loaned not to exceed [seventy-five] **one hundred** dollars may be charged by the lender; however, no such fee shall be permitted on any extension, refinance, restructure or renewal of any such loan, unless any investigation is made on the application to extend, refinance, restructure or renew the loan;

(2) The lawful fees actually and necessarily paid out by the lender to any public officer for filing, recording, or releasing in any public office any instrument securing the loan, which fees may be collected when the loan is made or at any time thereafter; however, premiums for insurance in lieu of perfecting a security interest required by the lender may be charged if the premium does not exceed the fees which would otherwise be payable;

(3) If the contract so provides, a charge for late payment on each installment or minimum payment in default for a period of not less than fifteen days in an amount not to exceed five percent of each installment due or the minimum payment due or fifteen dollars, whichever is greater, not to exceed fifty dollars. If the contract so provides, a charge for late payment on each twenty-five dollars or less installment in default for a period of not less than fifteen days shall not exceed five dollars;

(4) If the contract so provides, a charge for late payment for a single payment note in default for a period of not less than fifteen days in an amount not to exceed five percent of the payment due; provided that, the late charge for a single payment note shall not exceed fifty dollars;

(5) Charges or premiums for insurance written in connection with any loan against loss of or damage to property or against liability arising out of ownership or use of property as provided in section 367.170; however, notwithstanding any other provision of law, with the consent of the borrower, such insurance may cover property all or part of which is pledged as security for the loan, and charges or premiums for insurance providing life, health, accident, or involuntary unemployment coverage;

(6) Reasonable towing costs and expenses of retaking, holding, preparing for sale, and selling any personal property in accordance with section 400.9;

(7) Charges assessed by any institution for processing a refused instrument plus a handling fee of not more than twenty-five dollars;

(8) If the contract or promissory note, signed by the borrower, provides for attorney fees, and if it is necessary to bring suit, such attorney fees may not exceed fifteen percent of the amount due and payable under such contract or promissory note, together with any court costs assessed. The attorney fees shall only be applicable where the contract or promissory note is referred for collection to an attorney, and is not handled by a salaried employee of the holder of the contract;

(9) Provided the debtor agrees in writing, the lender may collect a fee in advance for allowing the debtor to defer up to three monthly loan payments, so long as the fee is no more than the lesser of fifty dollars or

ten percent of the loan payments deferred, no extensions are made until the first loan payment is collected and no more than one deferral in a twelve-month period is agreed to and collected on any one loan; this subdivision applies to nonprecomputed loans only and does not affect any other subdivision;

(10) If the open-end credit contract is tied to a transaction account in a depository institution, such account is in the institution's assets and such contract provides for loans of thirty-one days or longer which are "open-end credit", as such term is defined in the federal Consumer Credit Protection Act and regulations thereunder, the creditor may charge a credit advance fee of up to the lesser of seventy-five dollars or ten percent of the credit advanced from time to time from the line of credit; such credit advance fee may be added to the open-end credit outstanding along with any interest, and shall not be considered the unlawful compounding of interest as that term is defined in section 408.120;

(11) A deficiency waiver addendum, guaranteed asset protection, or a similar product purchased as part of a loan transaction with collateral and at the borrower's consent, provided the cost of the product is disclosed in the loan contract, is reasonable, and the requirements of section 408.380 are met.

2. Other provisions of law to the contrary notwithstanding, an open-end credit contract under which a credit card is issued by a company, financial institution, savings and loan or other credit issuing company whose credit card operations are located in Missouri may charge an annual fee, provided that no finance charge shall be assessed on new purchases other than cash advances if such purchases are paid for within twenty-five days of the date of the periodic statement therefor.

3. Notwithstanding any other provision of law to the contrary, in addition to charges allowed pursuant to section 408.100, an open-end credit contract provided by a company, financial institution, savings and loan or other credit issuing company which is regulated pursuant to this chapter may charge an annual fee not to exceed fifty dollars.""; and

Further amend said bill, Page 8, Section 408.500, Line 67, by inserting after said line the following:

"443.719. 1. In order to meet the written test requirement under sections 443.701 to 443.893, an individual shall pass, in accordance with the standards established under this section, a qualified written test developed by the NMLSR based upon reasonable standards, **and designated as the NMLSR'S National Test Component with Uniform State Content for Mortgage Loan Originator licensing.**

2. A written test shall not be treated as a qualified written test for purposes of subsection 1 of this section unless the test adequately measures the applicant's knowledge and comprehension in appropriate subject areas, including:

(1) Ethics;

(2) Federal law and regulation pertaining to mortgage origination;

(3) State law and regulation pertaining to mortgage origination;

(4) Federal and state law and regulation on fraud, consumer protection, the nontraditional mortgage marketplace, and fair lending issues.

3. Nothing in this section shall prohibit a test provider approved by the NMLSR from providing a test at the location of the employer of the applicant or the location of any subsidiary or affiliate of the employer of the applicant, or the location of any person with which the applicant holds an exclusive arrangement to conduct the business of a mortgage loan originator.

4. An applicant for licensure as a mortgage loan originator shall demonstrate minimum competence as follows:

(1) An individual shall not be considered to have passed a qualified written test unless the individual achieves a test score of not less than seventy-five percent correct answers to questions;

(2) An individual may retake a test two times with each consecutive taking occurring at least thirty days after the preceding test;

(3) After failing three consecutive tests, an individual shall wait at least six months before taking the test again;

(4) A licensed mortgage loan originator who fails to maintain a valid license for a period of five years or longer shall retake the test, not taking into account any time during which such individual is a registered mortgage loan originator.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 31**.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SS** for **SCS** for **SB 278**, as amended. Representatives: Hinson, Solon, Kolkmeyer, McManus and Otto.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 13**, as amended. Representatives: Spencer, Lichtenegger, Swan, Pierson and Arthur.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SS** for **SCS** for **HB 556**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Nasheed requested unanimous consent of the Senate for conferees on **HCS** for **SCS** for **SB 270**, as amended, to meet while the Senate is in session, which request was granted.

REFERRALS

President Pro Tem Dempsey referred **HCS** for **HB 807**, with **SCS**; **HB 254**, with **SCS**; **HCS** for **HB 811**, with **SCS**; and **HB 32** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON THIRD READING

At the request of Senator Schmitt, **HCS** for **HJR 34**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wallingford, **HCS** for **HB 478** was placed on the Informal Calendar.

At the request of Senator Sater, **HB 401**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Riddle, **HB 1093** was placed on the Informal Calendar.

At the request of Senator Wasson, **HCS** for **HB 112** was placed on the Informal Calendar.

At the request of Senator Schaefer, **HCS** for **HB 385** was placed on the Informal Calendar.

At the request of Senator Wasson, **HCS** for **HB 618**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schaefer, **HCS** for **HB 104** was placed on the Informal Calendar.

At the request of Senator Parson, **HCS** for **HB 33**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 864** was placed on the Informal Calendar.

At the request of Senator Kraus, **HB 440** was placed on the Informal Calendar.

At the request of Senator Kraus, **HB 502**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Onder, **HCS** for **HB 769** was placed on the Informal Calendar.

HB 923, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Romine, **HCS** for **HB 1084** was placed on the Informal Calendar.

At the request of Senator Brown, **HB 523**, with **SCS**, was placed on the Informal Calendar.

HB 522, HB 34, HB 133, HB 134, HB 810, HB 338 and HB 873, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Parson, **HCS** for **HB 613**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kraus, **HB 616** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HCS** for **HB 830**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Parson, **HB 233**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 692**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Cunningham, **HCS** for **HB 926** was placed on the Informal Calendar.

HCS for **HB 807**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Parson, **HB 254**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Riddle, **HCS** for **HB 811**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Pearce, **HB 32** was placed on the Informal Calendar.

HCS for **HB 592** was placed on the Informal Calendar.

At the request of Senator Parson, **HB 1022** was placed on the Informal Calendar.

At the request of Senator Hegeman, **HB 808**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Brown, **HCS** for **HB 538**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wallingford, **HCS** for **HB 119** was placed on the Informal Calendar.

At the request of Senator Brown, **HCS** for **HB 1058**, with **SCS**, was placed on the Informal Calendar.

HB 684 was placed on the Informal Calendar.

At the request of Senator Romine, **HB 1149**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 1063** was placed on the Informal Calendar.

At the request of Senator Schatz, **HB 686**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Wasson, **HB 562** was placed on the Informal Calendar.

HCS for **HB 709**, with **SCS**, entitled:

An Act to amend chapter 374, RSMo, by adding thereto two new sections relating to informational documents issued by the department of insurance, financial institutions and professional registration.

Was taken up by Senator Parson.

SCS for **HCS** for **HB 709**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 709

An Act to repeal sections 195.070, 334.037, 334.104, and 334.747, RSMo, and to enact in lieu thereof seven new sections relating to entities regulated by the department of insurance, financial institutions and professional registration.

Was taken up.

Senator Parson moved that **SCS** for **HCS** for **HB 709** be adopted.

Senator Sater offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 709, Page 2, Section 195.070, Line 32, by inserting after all of said line the following:

“324.023. 1. Notwithstanding any law to the contrary, any board or commission established under chapters 330, 331, 332, 334, 335, 336, 337, 338, 340, and 345 may, at its discretion, issue oral or written opinions addressing topics relating to the qualifications, functions, or duties of any profession licensed by the specific board or commission issuing such guidance. Any such opinion is for educational purposes only, is in no way binding on the licensees of the respective board or commission, and cannot be used as the basis for any discipline against any licensee under chapters 330, 331, 332, 334, 335, 336, 337, 338, 340, and 345. No board or commission may address topics relating to the qualifications, functions, or duties of any profession licensed by a different board or commission.

2. The recipient of an opinion given under this section shall be informed that the opinion is for educational purposes only, is in no way binding on the licensees of the board, and cannot be used as

the basis for any discipline against any licensee under chapters 330, 331, 332, 334, 335, 336, 337, 338, 340, and 345.”; and

Further amend the title and enacting clause accordingly.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Parson moved that **SCS** for **HCS** for **HB 709**, as amended, be adopted, which motion prevailed.

On motion of Senator Parson, **SCS** for **HCS** for **HB 709**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Riddle moved that **SS** for **SCS** for **HB 556** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HB 556** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—33							

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 1022, introduced by Representative Gosen, entitled:

An Act to repeal section 379.470, RSMo, and to enact in lieu thereof one new section relating to authorized return of premiums paid by insureds.

Was called from the Informal Calendar and taken up by Senator Wasson.

On motion of Senator Wasson, **HB 1022** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schupp	Sifton	Silvey	Walsh	Wasson	Wieland—31	

NAYS—Senators—None

Absent—Senator Schmitt—1

Absent with leave—Senators

Nasheed Wallingford—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 686, introduced by Representative Hinson, with **SCS**, entitled:

An Act to repeal sections 301.010 and 301.227, RSMo, and to enact in lieu thereof two new sections relating to junking certificates on motor vehicles.

Was called from the Informal Calendar and taken up by Senator Schatz.

SCS for **HB 686**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 686

An Act to repeal sections 301.010, 301.196, 301.227, and 301.280, RSMo, and to enact in lieu thereof four new sections relating to the registration of motor vehicles, with an existing penalty provision.

Was taken up.

Senator Schatz moved that **SCS** for **HB 686** be adopted.

Senator Schatz offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 686, Page 15, Section 301.280, Line 16, by striking the words “thirty-day”; and

Further amend said bill, page, and section, line 19 by striking the words “thirty-day”.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

Senator Schatz moved that **SCS** for **HB 686**, as amended, be adopted, which motion prevailed.

On motion of Senator Schatz, **SCS** for **HB 686** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 769**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to direct health care services.

Was called from the Informal Calendar and taken up by Senator Onder.

President Pro Tem Dempsey assumed the Chair.

On motion of Senator Onder, **HCS** for **HB 769** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Onder, title to the bill was agreed to.

Senator Onder moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 92, introduced by Representative Miller, entitled:

An Act to repeal sections 260.500 and 644.016, RSMo, and to enact in lieu thereof two new sections relating to the definition of waters of the state.

Was called from the Informal Calendar and taken up by Senator Kehoe.

Senator Kehoe offered **SS** for **HB 92**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 92

An Act to repeal sections 259.010, 259.020, 259.030, 259.050, 259.070, 259.080, 259.100, 259.190, 259.210, 260.235, 260.395, 260.500, 444.600, 444.773, 621.250, 640.115, 643.075, 643.078, 644.011, 644.016, 644.051, and 644.056, RSMo, and to enact in lieu thereof twenty-five new sections relating to the department of natural resources.

Senator Kehoe moved that **SS** for **HB 92** be adopted.

Senator Wallingford offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 92, Page 1, Section A, Line 10 of said page, by inserting immediately after said line the following:

“29.380. 1. The state auditor shall have the authority to audit solid waste management districts created under section 260.305 in the same manner as the auditor may audit any agency of the state.

2. Beginning August 28, [2012] **2015**, the state auditor [shall conduct an audit of each solid waste management district created under section 260.305 and thereafter shall] **may** conduct audits of [each] solid waste management [district] **districts** as he or she deems necessary. The state auditor may request reimbursement from the district for the costs of conducting the audit. **If the auditor requests such reimbursement, the solid waste management district shall reimburse the auditor for the costs of conducting the audit and the moneys shall be deposited in the petition audit revolving trust fund**

created under section 29.230. Such reimbursement shall be limited to two percent of the solid waste management district's annual monetary allocation.”; and

Further amend said bill, page 22, section 259.210, line 6 of said page, by inserting immediately after said line the following:

“260.200. 1. The following words and phrases when used in sections 260.200 to 260.345 shall mean:

(1) “Alkaline-manganese battery” or “alkaline battery”, a battery having a manganese dioxide positive electrode, a zinc negative electrode, an alkaline electrolyte, including alkaline-manganese button cell batteries intended for use in watches, calculators, and other electronic products, and larger-sized alkaline-manganese batteries in general household use;

(2) “Applicant”, a person or persons seeking or holding a facility permit;

(3) “Bioreactor”, a municipal solid waste disposal area or portion of a municipal solid waste disposal area where the controlled addition of liquid waste or water accelerates both the decomposition of waste and landfill gas generation;

(4) “Button cell battery” or “button cell”, any small alkaline-manganese or mercuric-oxide battery having the size and shape of a button;

(5) “City”, any incorporated city, town, or village;

(6) “Clean fill”, uncontaminated soil, rock, sand, gravel, concrete, asphaltic concrete, cinderblocks, brick, minimal amounts of wood and metal, and inert solids as approved by rule or policy of the department for fill, reclamation or other beneficial use;

(7) “Closure”, the permanent cessation of active disposal operations, abandonment of the disposal area, revocation of the permit or filling with waste of all areas and volumes specified in the permit and preparing the area for long-term care;

(8) “Closure plan”, plans, designs and relevant data which specify the methods and schedule by which the operator will complete or cease disposal operations, prepare the area for long-term care, and make the area suitable for other uses, to achieve the purposes of sections 260.200 to 260.345 and the regulations promulgated thereunder;

(9) “Conference, conciliation and persuasion”, a process of verbal or written communications consisting of meetings, reports, correspondence or telephone conferences between authorized representatives of the department and the alleged violator. The process shall, at a minimum, consist of one offer to meet with the alleged violator tendered by the department. During any such meeting, the department and the alleged violator shall negotiate in good faith to eliminate the alleged violation and shall attempt to agree upon a plan to achieve compliance;

(10) “Construction and demolition waste”, waste materials from the construction and demolition of residential, industrial, or commercial structures, but shall not include materials defined as clean fill under this section;

(11) “Demolition landfill”, a solid waste disposal area used for the controlled disposal of demolition wastes, construction materials, brush, wood wastes, soil, rock, concrete and inert solids insoluble in water;

(12) “Department”, the department of natural resources;

(13) “Director”, the director of the department of natural resources;

(14) “Disclosure statement”, a sworn statement or affirmation, in such form as may be required by the director of the department of natural resources, which includes:

- (a) The full names and business address of key personnel;
- (b) The full name and business address of any entity, other than a natural person, that collects, transfers, processes, treats, stores, or disposes of solid waste in which all key personnel holds an equity interest of seven percent or more;
- (c) A description of the business experience of all key personnel listed in the disclosure statement;
- (d) For the five-year period ending on the date the sworn disclosure statement or affirmation is signed by key personnel:
 - a. A listing organized by issuing federal, state, or county or county-equivalent regulatory body of all environmental permits or licenses for the collection, transfer, treatment, processing, storage, or disposal of solid waste issued to or held by any key personnel;
 - b. A listing and explanation of notices of violation which shall by rule be defined, prosecutions, or other administrative enforcement actions resulting in an adjudication or conviction;
 - c. A listing of license or permit suspensions, revocations, or denials issued by any state, the federal government or a county or county equivalent, which are pending or have concluded with a finding of violation or entry of a consent agreement regarding an allegation of civil or criminal violation of law, regulation or requirement relating to the collection, transfer, treatment, processing, storage, or disposal of solid waste or violation of the environmental statutes of other states or federal statutes;
 - d. An itemized list of all felony convictions under the laws of the state of Missouri or the equivalent thereof under the laws of any other jurisdiction; and a listing of any findings of guilt for any crimes or criminal acts an element of which involves restraint of trade, price-fixing, intimidation of the customers of another person or for engaging in any other acts which may have the effect of restraining or limiting competition concerning activities regulated pursuant to this chapter or similar laws of other states or the federal government including, but not limited to, racketeering or violation of antitrust laws of any key personnel;

(15) “District”, a solid waste management district established under section 260.305;

(16) “Financial assurance instrument”, an instrument or instruments, including, but not limited to, cash or surety bond, letters of credit, corporate guarantee or secured trust fund, submitted by the applicant to ensure proper closure and postclosure care and corrective action of a solid waste disposal area in the event that the operator fails to correctly perform closure and postclosure care and corrective action requirements, except that the financial test for the corporate guarantee shall not exceed one and one-half times the estimated cost of closure and postclosure. The form and content of the financial assurance instrument shall meet or exceed the requirements of the department. The instrument shall be reviewed and approved or disapproved by the attorney general;

(17) “Flood area”, any area inundated by the one hundred year flood event, or the flood event with a one percent chance of occurring in any given year;

(18) “Household consumer”, an individual who generates used motor oil through the maintenance of the individual’s personal motor vehicle, vessel, airplane, or other machinery powered by an internal combustion engine;

(19) “Household consumer used motor oil collection center”, any site or facility that accepts or aggregates and stores used motor oil collected only from household consumers or farmers who generate an

average of twenty-five gallons per month or less of used motor oil in a calendar year. This section shall not preclude a commercial generator from operating a household consumer used motor oil collection center;

(20) “Household consumer used motor oil collection system”, any used motor oil collection center at publicly owned facilities or private locations, any curbside collection of household consumer used motor oil, or any other household consumer used motor oil collection program determined by the department to further the purposes of sections 260.200 to 260.345;

(21) “Infectious waste”, waste in quantities and characteristics as determined by the department by rule, including isolation wastes, cultures and stocks of etiologic agents, blood and blood products, pathological wastes, other wastes from surgery and autopsy, contaminated laboratory wastes, sharps, dialysis unit wastes, discarded biologicals known or suspected to be infectious; provided, however, that infectious waste does not mean waste treated to department specifications;

(22) “Key personnel”, the applicant itself and any person employed by the applicant in a managerial capacity, or empowered to make discretionary decisions with respect to the solid waste operations of the applicant in Missouri, but shall not include employees exclusively engaged in the physical or mechanical collection, transfer, transportation, treatment, processing, storage, or disposal of solid waste and such other employees as the director of the department of natural resources may designate by regulation. If the applicant has not previously conducted solid waste operations in Missouri, the term also includes any officer, director, partner of the applicant, or any holder of seven percent or more of the equity or debt of the applicant. If any holder of seven percent or more of the equity or debt of the applicant or of any key personnel is not a natural person, the term includes all key personnel of that entity, provided that where such entity is a chartered lending institution or a reporting company under the federal Securities Exchange Act of 1934, the term does not include key personnel of such entity. Provided further that the term means the chief executive officer of any agency of the United States or of any agency or political subdivision of the state of Missouri, and all key personnel of any person, other than a natural person, that operates a landfill or other facility for the collection, transfer, treatment, processing, storage, or disposal of nonhazardous solid waste under contract with or for one of those governmental entities;

(23) “Lead-acid battery”, a battery designed to contain lead and sulfuric acid with a nominal voltage of at least six volts and of the type intended for use in motor vehicles and watercraft;

(24) “Major appliance”, clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, woodstoves, air conditioners, refrigerators and freezers;

(25) “Mercuric-oxide battery” or “mercury battery”, a battery having a mercuric-oxide positive electrode, a zinc negative electrode, and an alkaline electrolyte, including mercuric-oxide button cell batteries generally intended for use in hearing aids and larger size mercuric-oxide batteries used primarily in medical equipment;

(26) “Minor violation”, a violation which possesses a small potential to harm the environment or human health or cause pollution, was not knowingly committed, and is not defined by the United States Environmental Protection Agency as other than minor;

(27) “Motor oil”, any oil intended for use in a motor vehicle, as defined in section 301.010, train, vessel, airplane, heavy equipment, or other machinery powered by an internal combustion engine;

(28) “Motor vehicle”, as defined in section 301.010;

(29) “Operator” and “permittee”, anyone so designated, and shall include cities, counties, other political subdivisions, authority, state agency or institution, or federal agency or institution;

(30) “Permit modification”, any permit issued by the department which alters or modifies the provisions of an existing permit previously issued by the department;

(31) “Person”, any individual, partnership, limited liability company, corporation, association, trust, institution, city, county, other political subdivision, authority, state agency or institution, or federal agency or institution, or any other legal entity;

(32) “Plasma arc technology”, a process that converts electrical energy into thermal energy. This electric arc is created when an ionized gas transfers electric power between two or more electrodes;

(33) “Postclosure plan”, plans, designs and relevant data which specify the methods and schedule by which the operator shall perform necessary monitoring and care for the area after closure to achieve the purposes of sections 260.200 to 260.345 and the regulations promulgated thereunder;

(34) “Recovered materials”, those materials which have been diverted or removed from the solid waste stream for sale, use, reuse or recycling, whether or not they require subsequent separation and processing;

(35) “Recycled content”, the proportion of fiber in a newspaper which is derived from postconsumer waste;

(36) “Recycling”, the separation and reuse of materials which might otherwise be disposed of as solid waste;

(37) “Resource recovery”, a process by which recyclable and recoverable material is removed from the waste stream to the greatest extent possible, as determined by the department and pursuant to department standards, for reuse or remanufacture;

(38) “Resource recovery facility”, a facility in which recyclable and recoverable material is removed from the waste stream to the greatest extent possible, as determined by the department and pursuant to department standards, for reuse or remanufacture;

(39) “Sanitary landfill”, a solid waste disposal area which accepts commercial and residential solid waste;

(40) “Scrap tire”, a tire that is no longer suitable for its original intended purpose because of wear, damage, or defect;

(41) “Scrap tire collection center”, a site where scrap tires are collected prior to being offered for recycling or processing and where fewer than five hundred tires are kept on site on any given day;

(42) “Scrap tire end-user facility”, a site where scrap tires are used as a fuel or fuel supplement or converted into a usable product. Baled or compressed tires used in structures, or used at recreational facilities, or used for flood or erosion control shall be considered an end use;

(43) “Scrap tire generator”, a person who sells tires at retail or any other person, firm, corporation, or government entity that generates scrap tires;

(44) “Scrap tire processing facility”, a site where tires are reduced in volume by shredding, cutting, or chipping or otherwise altered to facilitate recycling, resource recovery, or disposal;

(45) “Scrap tire site”, a site at which five hundred or more scrap tires are accumulated, but not including a site owned or operated by a scrap tire end-user that burns scrap tires for the generation of energy or converts scrap tires to a useful product;

(46) “Solid waste”, garbage, refuse and other discarded materials including, but not limited to, solid and semisolid waste materials resulting from industrial, commercial, agricultural, governmental and domestic activities, but does not include hazardous waste as defined in sections 260.360 to 260.432, recovered materials, overburden, rock, tailings, matte, slag or other waste material resulting from mining, milling or smelting;

(47) “Solid waste disposal area”, any area used for the disposal of solid waste from more than one residential premises, or one or more commercial, industrial, manufacturing, recreational, or governmental operations;

(48) “Solid waste fee”, a fee imposed pursuant to sections 260.200 to 260.345 and may be:

(a) A solid waste collection fee imposed at the point of waste collection; or

(b) A solid waste disposal fee imposed at the disposal site;

(49) “Solid waste management area”, a solid waste disposal area which also includes one or more of the functions contained in the definitions of recycling, resource recovery facility, waste tire collection center, waste tire processing facility, waste tire site or solid waste processing facility, excluding incineration;

(50) **“Solid waste management project”, a targeted project that meets statewide waste reduction and recycling priorities, and for which no solid waste management district grant applicant has applied to perform, and for which no qualified applicants have applied to perform such project by a competitive bid issued by the solid waste management district for the completion of such project;**

(51) “Solid waste management system”, the entire process of managing solid waste in a manner which minimizes the generation and subsequent disposal of solid waste, including waste reduction, source separation, collection, storage, transportation, recycling, resource recovery, volume minimization, processing, market development, and disposal of solid wastes;

[(51)] (52) “Solid waste processing facility”, any facility where solid wastes are salvaged and processed, including:

(a) A transfer station; or

(b) An incinerator which operates with or without energy recovery but excluding waste tire end-user facilities; or

(c) A material recovery facility which operates with or without composting;

(d) A plasma arc technology facility;

[(52)] (53) “Solid waste technician”, an individual who has successfully completed training in the practical aspects of the design, operation and maintenance of a permitted solid waste processing facility or solid waste disposal area in accordance with sections 260.200 to 260.345;

[(53)] (54) “Tire”, a continuous solid or pneumatic rubber covering encircling the wheel of any self-propelled vehicle not operated exclusively upon tracks, or a trailer as defined in chapter 301, except

farm tractors and farm implements owned and operated by a family farm or family farm corporation as defined in section 350.010;

[(54)] **(55)** “Used motor oil”, any motor oil which, as a result of use, becomes unsuitable for its original purpose due to loss of original properties or the presence of impurities, but used motor oil shall not include ethylene glycol, oils used for solvent purposes, oil filters that have been drained of free flowing used oil, oily waste, oil recovered from oil tank cleaning operations, oil spilled to land or water, or industrial nonlube oils such as hydraulic oils, transmission oils, quenching oils, and transformer oils;

[(55)] **(56)** “Utility waste landfill”, a solid waste disposal area used for fly ash waste, bottom ash waste, slag waste and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels;

[(56)] **(57)** “Yard waste”, leaves, grass clippings, yard and garden vegetation and Christmas trees. The term does not include stumps, roots or shrubs with intact root balls.

2. For the purposes of this section and sections 260.270 to 260.279 and any rules in place as of August 28, 2005, or promulgated under said sections, the term “scrap” shall be used synonymously with and in place of waste, as it applies only to scrap tires.

260.225. 1. The department shall administer sections 260.200 to 260.345 to maximize the amount of recovered materials and to minimize disposal of solid waste in sanitary landfills. The department shall, through its rules and regulations, policies and programs, encourage to the maximum extent practical, the use of alternatives to disposal. To accomplish these objectives, the department shall:

(1) Administer the state solid waste management program pursuant to the provisions of sections 260.200 to 260.345;

(2) Cooperate with appropriate federal, state, and local units of government of this or any other state, and with appropriate private organizations in carrying out its authority under sections 260.200 to 260.345;

(3) Promulgate and adopt, after public hearing, such rules and regulations relating to solid waste management systems as shall be necessary to carry out the purposes and provisions of sections 260.200 to 260.345;

(4) Develop a statewide solid waste management plan in cooperation with local governments, regional planning commissions, districts, and appropriate state agencies;

(5) Provide technical assistance to cities, counties, districts, and authorities;

(6) Develop and conduct a mandatory solid waste technician training course of study;

(7) Conduct and contract for research and investigations in the overall area of solid waste storage, collection, recycling, recovery, processing, transportation and disposal, including, but not limited to, new and novel procedures;

(8) Subject to appropriation by the general assembly, establish criteria for awarding state-funded solid waste management [planning] grants to cities, counties, and districts, allocate funds, and monitor the proper expenditure of funds;

(9) Issue such permits and orders and conduct such inspections as may be necessary to implement the provisions of sections 260.200 to 260.345 and the rules and regulations adopted pursuant to sections 260.200 to 260.345;

(10) Initiate, conduct and support research, demonstration projects, and investigations with applicable federal programs pertaining to solid waste management systems;

(11) Contract with cities, counties, districts and other persons to act as its agent in carrying out the provisions of sections 260.200 to 260.345 under procedures and conditions as the department shall prescribe.

2. The department shall prepare model solid waste management plans suitable for rural and urban areas which may be used by districts, counties and cities. In preparing the model plans, the department shall consider the findings and recommendations of the study of resource recovery conducted pursuant to section 260.038, and other relevant information. The plans shall conform with the requirements of section 260.220 and section 260.325 and shall:

(1) Emphasize waste reduction and recycling;

(2) Provide for economical waste management through regional **and district** cooperation;

(3) Be designed to achieve a reduction of forty percent in solid waste disposed, by weight, by January 1, 1998;

(4) Establish a means to measure the amount of reduction in solid waste disposal;

(5) Provide for the elimination of small quantities of hazardous waste, including household hazardous waste, from the solid waste stream; and

(6) Be designed to guide planning in districts, cities and counties including cities and counties not within a district.

3. The model plan shall be distributed to the executive board of each solid waste district and to counties and cities not within a district by December 1, 1991.

4. No rule or portion of a rule promulgated under the authority of sections 260.200 to 260.345 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

5. In coordination with other appropriate state agencies, including, but not limited to, the division of commerce and industrial development, the office of administration, the environmental improvement and energy resource authority, and the public service commission, the department shall perform the following duties in order to promote resource recovery in the state in ways which are economically feasible:

(1) Identify markets for recovered materials and for energy which could be produced from solid waste and household hazardous waste;

(2) Provide technical assistance pertaining to all aspects of resource recovery to cities, counties, districts, industries and other persons;

(3) Identify opportunities for resource recovery programs in state government and initiate actions to implement such programs;

(4) Expand state contracts for procurement of items made from recovered materials;

(5) Initiate recycling programs within state government;

(6) Provide a clearinghouse of consumer information regarding the need to support resource recovery, utilize and develop new resource recovery programs around existing enterprises, request and purchase recycled products, participate in resource conservation activities and other relevant issues;

(7) Identify barriers to resource recovery and resource conservation, and propose remedies to these barriers; and

(8) Initiate activities with appropriate state and local entities to develop markets for recovered materials.”; and

Further amend said bill, page 23, section 260.235, line 19 of said page, by inserting immediately after said line the following:

“260.250. 1. After January 1, 1991, major appliances, waste oil and lead-acid batteries shall not be disposed of in a solid waste disposal area. After January 1, 1992, yard waste shall not be disposed of in a solid waste disposal area, except as otherwise provided in this subsection. After August 28, 2007, yard waste may be disposed of in a municipal solid waste disposal area or portion of a municipal solid waste disposal area provided that:

(1) The department has approved the municipal solid waste disposal area or portion of a solid waste disposal area to operate as a bioreactor under 40 CFR Part 258.4; and

(2) The landfill gas produced by the bioreactor shall be used for the generation of electricity.

2. After January 1, 1991, waste oil shall not be incinerated without energy recovery.

3. Each **solid waste management** district[, county and city] shall address the recycling, reuse and handling of aluminum containers, glass containers, newspapers, **textiles**, whole tires, plastic beverage containers and steel containers in its solid waste management plan consistent with sections 260.250 to 260.345.

260.320. 1. The executive board shall meet within thirty days after the selection of the initial members. The time and place of the first meeting of the board shall be designated by the council. A majority of the members of the board shall constitute a quorum. At its first meeting the board shall elect a chairman from its members and select a secretary, treasurer and such officers or employees as it deems expedient or necessary for the accomplishment of its purposes. The secretary and treasurer need not be members of the board.

2. The executive board may adopt, alter or repeal its own bylaws, rules and regulations governing the manner in which its business may be transacted, including procedures for the replacement of persons who habitually fail to attend board meetings, and may establish its fiscal year, adopt an official seal, apply for and accept grants, gifts or appropriations from any public or private sector, make all expenditures which are incidental and necessary to carry out its purposes and powers, and take such action, enter into such agreements and exercise all other powers and functions necessary or appropriate to carry out the duties and purposes of sections 260.200 to 260.345.

3. The executive board shall:

(1) Review and comment upon applications for permits submitted pursuant to section 260.205, for solid waste processing facilities and solid waste disposal areas which are to be located within the region or, if located in an adjacent region, which will impact solid waste management practices within the region;

(2) Prepare and recommend to the council a solid waste management plan for the district;

(3) Identify illegal dump sites and provide all available information about such sites to the appropriate county prosecutor and to the department;

(4) Establish an education program to inform the public about responsible **solid** waste management practices;

(5) Establish procedures to minimize the introduction of small quantities of hazardous waste, including household hazardous waste, into the solid waste stream;

(6) Assure adequate capacity to manage waste which is not otherwise removed from the solid waste stream; and

(7) Appoint one or more geographically balanced advisory committees composed of the representatives of commercial generators, representatives of the solid waste management industry, and two citizens unaffiliated with a solid waste facility or operation to assess and make recommendations on solid waste management.

4. The executive board may enter into contracts with any person **or entity** for services related to any component of the solid waste management system. Bid specifications for solid waste management services shall be designed to meet the objectives of sections 260.200 to 260.345, encourage small businesses to engage and compete in the delivery of **solid** waste management services and to minimize the long-run cost of managing solid waste. Bid specifications shall enumerate the minimum components and minimum quantities of waste products which shall be recycled by the successful bidder. The board shall divide the district into units to maximize access for small businesses when it requests bids for solid waste management services, **but in no case shall a district executive board perform solid waste management projects that compete with a qualified private enterprise.**

5. No person shall serve as a member of the council or of the executive board who is a stockholder, officer, agent, attorney or employee or who is in any way pecuniarily interested in any business which engages in any aspect of solid waste management regulated under sections 260.200 to 260.345; provided, however, that such member may own stock in a publicly traded corporation which may be involved in **solid** waste management as long as such holdings are not substantial.

260.324. 1. Any person or entity that applies for a grant under section 260.335 shall not be disqualified from receiving such grant on the basis that there exists a familial relationship between the applicant and any member of the solid waste management district executive board within the fourth degree by consanguinity or affinity. For applicants with a familial relationship with any member of the solid waste management district executive board within the fourth degree by consanguinity or affinity, the solid waste management district executive board shall only approve such grant application if approved by a vote of two-thirds of the solid waste management district executive board.

2. If a person, who by virtue of his or her membership on a solid waste management district executive board, does not abstain from a vote to award a solid waste management district grant to any person or entity providing solid waste management services who is a relative within the fourth degree by consanguinity or affinity, the person shall forfeit membership on the solid waste management district executive board and the solid waste management district council.

260.325. 1. The executive board of each district shall submit to the department a plan which has been approved by the council for a solid waste management system serving areas within its jurisdiction and shall, from time to time, submit officially adopted revisions of its plan as it deems necessary or the department may require. In developing the district's solid waste management plan, the board shall consider the model

plan distributed to the board pursuant to section 260.225. Districts may contract with a licensed professional engineer or as provided in chapter 70 for the development and submission of a joint plan.

2. The board shall hold at least one public hearing in each county in the district when it prepares a proposed plan or substantial revisions to a plan in order to solicit public comments on the plan.

3. The solid waste management plan shall be submitted to the department within eighteen months of the formation of the district. The plan shall be prepared and submitted according to the procedures specified in section 260.220 and this section.

4. Each plan shall:

(1) Delineate areas within the district where solid waste management systems are in existence;

(2) Reasonably conform to the rules and regulations adopted by the department for implementation of sections 260.200 to 260.345;

(3) Delineate provisions for the collection of recyclable materials or collection points for recyclable materials;

(4) Delineate provisions for the collection of compostable materials or collection points for compostable materials;

(5) Delineate provisions for the separation of household waste and other small quantities of hazardous waste at the source or prior to disposal;

(6) Delineate provisions for the orderly extension of solid waste management services in a manner consistent with the needs of the district, including economic impact, and in a manner which will minimize degradation of the waters or air of the state, prevent public nuisances or health hazards, promote recycling and waste minimization and otherwise provide for the safe and sanitary management of solid waste;

(7) Take into consideration existing comprehensive plans, population trend projections, engineering and economics so as to delineate those portions of the district which may reasonably be expected to be served by a solid waste management system;

(8) Specify how the district will achieve a reduction in solid waste placed in sanitary landfills through waste minimization, reduction and recycling;

(9) Establish a timetable, with milestones, for the reduction of solid waste placed in a landfill through waste minimization, reduction and recycling;

(10) Establish an education program to inform the public about responsible waste management practices;

(11) Establish procedures to minimize the introduction of small quantities of hazardous waste, including household hazardous waste, into the solid waste stream;

(12) Establish a time schedule and proposed method of financing for the development, construction and operation of the planned solid waste management system together with the estimated cost thereof;

(13) Identify methods by which rural households that are not served by a regular solid waste collection service may participate in waste reduction, recycling and resource recovery efforts within the district; and

(14) Include such other reasonable information as the department shall require.

5. The board shall review the district's solid waste management plan at least every twenty-four months for the purpose of evaluating the district's progress in meeting the requirements and goals of the plan, and shall submit plan revisions to the department and council.

6. In the event any plan or part thereof is disapproved, the department shall furnish any and all reasons for such disapproval and shall offer assistance for correcting deficiencies. The executive board shall within sixty days revise and resubmit the plan for approval or request a hearing in accordance with section 260.235. Any plan submitted by a district shall stand approved one hundred twenty days after submission unless the department disapproves the plan or some provision thereof.

7. The director may institute appropriate action under section 260.240 to compel submission of plans in accordance with sections 260.200 to 260.345 and the rules and regulations adopted pursuant to sections 260.200 to 260.345.

8. [The provisions of section 260.215 to the contrary notwithstanding, any county within a region which on or after January 1, 1995, is not a member of a district shall by June 30, 1995, submit a solid waste management plan to the department of natural resources. Any county which withdraws from a district and all cities within the county with a population over five hundred shall submit a solid waste plan or a revision to an existing plan to the department of natural resources within one hundred eighty days of its decision not to participate. The plan shall meet the requirements of section 260.220 and this section.

9.] Funds may, upon appropriation, be made available to [cities, counties and] districts[,] under section 260.335, for the purpose of implementing the requirements of this section.

[10.] **9. Based upon the financial assistance amounts set forth in this section, the district executive board shall arrange for an independent financial [audits] statement audit of the records and accounts of its operations by a certified public accountant or a firm of certified public accountants. Districts receiving [two] more than eight hundred thousand dollars [or more] of financial assistance annually shall have annual independent financial statement audits [and]; districts receiving [less than] between two hundred fifty thousand dollars and eight hundred thousand dollars of financial assistance annually shall have a biennial independent financial [audits at least once every two years. The state auditor may examine the findings of such audits and may conduct audits of the districts] statement audit for the two-year period. All other districts shall be monitored biennially by the department and, based upon the findings within the monitoring report, may be required to arrange for an independent financial statement audit for the biennial monitoring period under review. Subject to limitations caused by the availability of resources, the department shall conduct a performance audit of grants to each district at least once every [three] five years, or as deemed necessary by the department based upon district grantee performance.**

260.330. 1. Except as otherwise provided in subsection 6 of this section, effective October 1, 1990, each operator of a solid waste sanitary landfill shall collect a charge equal to one dollar and fifty cents per ton or its volumetric equivalent of solid waste accepted and each operator of the solid waste demolition landfill shall collect a charge equal to one dollar per ton or its volumetric equivalent of solid waste accepted. Each operator shall submit the charge, less collection costs, to the department of natural resources for deposit in the "Solid Waste Management Fund" which is hereby created. On October 1, 1992, and thereafter, the charge imposed herein shall be adjusted annually by the same percentage as the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor or its successor agency. No annual adjustment shall be made to the charge imposed under this subsection during

October 1, 2005, to October 1, [2017] **2027**, except an adjustment amount consistent with the need to fund the operating costs of the department and taking into account any annual percentage increase in the total of the volumetric equivalent of solid waste accepted in the prior year at solid waste sanitary landfills and demolition landfills and solid waste to be transported out of this state for disposal that is accepted at transfer stations. No annual increase during October 1, 2005, to October 1, [2017] **2027**, shall exceed the percentage increase measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor or its successor agency and calculated on the percentage of revenues dedicated under subdivision (1) of subsection 2 of section 260.335. Any such annual adjustment shall only be made at the discretion of the director, subject to appropriations. Collection costs shall be established by the department and shall not exceed two percent of the amount collected pursuant to this section.

2. The department shall, by rule and regulation, provide for the method and manner of collection.

3. The charges established in this section shall be enumerated separately from the disposal fee charged by the landfill and may be passed through to persons who generated the solid waste. Moneys [shall be] transmitted to the department shall be no less than the amount collected less collection costs and in a form, manner and frequency as the department shall prescribe. The provisions of section 33.080 to the contrary notwithstanding, moneys in the account shall not lapse to general revenue at the end of each biennium. Failure to collect the charge does not relieve the operator from responsibility for transmitting an amount equal to the charge to the department.

4. The department may examine or audit financial records and landfill activity records and measure landfill usage to verify the collection and transmittal of the charges established in this section. The department may promulgate by rule and regulation procedures to ensure and to verify that the charges imposed herein are properly collected and transmitted to the department.

5. Effective October 1, 1990, any person who operates a transfer station in Missouri shall transmit a fee to the department for deposit in the solid waste management fund which is equal to one dollar and fifty cents per ton or its volumetric equivalent of solid waste accepted. Such fee shall be applicable to all solid waste to be transported out of the state for disposal. On October 1, 1992, and thereafter, the charge imposed herein shall be adjusted annually by the same percentage as the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor or its successor agency. No annual adjustment shall be made to the charge imposed under this subsection during October 1, 2005, to October 1, [2017] **2027**, except an adjustment amount consistent with the need to fund the operating costs of the department and taking into account any annual percentage increase in the total of the volumetric equivalent of solid waste accepted in the prior year at solid waste sanitary landfills and demolition landfills and solid waste to be transported out of this state for disposal that is accepted at transfer stations. No annual increase during October 1, 2005, to October 1, [2017] **2027**, shall exceed the percentage increase measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor or its successor agency and calculated on the percentage of revenues dedicated under subdivision (1) of subsection 2 of section 260.335. Any such annual adjustment shall only be made at the discretion of the director, subject to appropriations. The department shall prescribe rules and regulations governing the transmittal of fees and verification of waste volumes transported out of state from transfer stations. Collection costs shall also be established by the department and shall not exceed two percent of the amount collected pursuant to this subsection. A transfer station with

the sole function of separating materials for recycling or resource recovery activities shall not be subject to the fee imposed in this subsection.

6. Each political subdivision which owns an operational solid waste disposal area may designate, pursuant to this section, up to two free disposal days during each calendar year. On any such free disposal day, the political subdivision shall allow residents of the political subdivision to dispose of any solid waste which may be lawfully disposed of at such solid waste disposal area free of any charge, and such waste shall not be subject to any state fee pursuant to this section. Notice of any free disposal day shall be posted at the solid waste disposal area site and in at least one newspaper of general circulation in the political subdivision no later than fourteen days prior to the free disposal day.

260.335. 1. Each fiscal year eight hundred thousand dollars from the solid waste management fund shall be made available, upon appropriation, to the department and the environmental improvement and energy resources authority to fund activities that promote the development and maintenance of markets for recovered materials. Each fiscal year up to two hundred thousand dollars from the solid waste management fund **may** be used by the department upon appropriation for grants to solid waste management districts for district grants and district operations. Only those solid waste management districts that are allocated fewer funds under subsection 2 of this section than if revenues had been allocated based on the criteria in effect in this section on August 27, 2004, are eligible for these grants. An eligible district shall receive a proportionate share of these grants based on that district's share of the total reduction in funds for eligible districts calculated by comparing the amount of funds allocated under subsection 2 of this section with the amount of funds that would have been allocated using the criteria in effect in this section on August 27, 2004. The department and the authority shall establish a joint interagency agreement with the department of economic development to identify state priorities for market development and to develop the criteria to be used to judge proposed projects. Additional moneys may be appropriated in subsequent fiscal years if requested. The authority shall establish a procedure to measure the effectiveness of the grant program under this subsection and shall provide a report to the governor and general assembly by January fifteenth of each year regarding the effectiveness of the program.

2. All remaining revenues deposited into the fund each fiscal year after moneys have been made available under subsection 1 of this section shall be allocated as follows:

(1) Thirty-nine percent of the revenues shall be dedicated, upon appropriation, to the elimination of illegal solid waste disposal, to identify and prosecute persons disposing of solid waste illegally, to conduct solid waste permitting activities, to administer grants and perform other duties imposed in sections 260.200 to 260.345 and section 260.432. In addition to the thirty-nine percent of the revenues, the department may receive any annual increase in the charge during October 1, 2005, to October 1, [2014] **2027**, under section 260.330 and such increases shall be used solely to fund the operating costs of the department;

(2) Sixty-one percent of the revenues, except any annual increases in the charge under section 260.330 during October 1, 2005, to October 1, [2014] **2027**, which shall be used solely to fund the operating costs of the department, shall be allocated [through grants, upon appropriation, to participating cities, counties, and] **to solid waste management** districts. Revenues to be allocated under this subdivision shall be divided as follows: forty percent shall be allocated based on the population of each district in the latest decennial census, and sixty percent shall be allocated based on the amount of revenue generated within each district. For the purposes of this subdivision, revenue generated within each district shall be determined from the previous year's data. No more than fifty percent of the revenue allocable under this subdivision may be

allocated to the districts upon approval of the department for implementation of a solid waste management plan and district operations, and at least fifty percent of the revenue allocable to the districts under this subdivision shall be allocated to the cities and counties of the district or to persons or entities providing solid waste management, waste reduction, recycling and related services in these cities and counties. Each district shall receive a minimum of seventy-five thousand dollars under this subdivision. After August 28, [2005] **2015**, each district shall receive a minimum of ninety-five thousand dollars under this subdivision for district grants and district operations. Each district receiving moneys under this subdivision shall expend such moneys pursuant to a solid waste management plan required under section 260.325, and only in the case that the district is in compliance with planning requirements established by the department. Moneys shall be awarded based upon grant applications. **The following criteria may be considered to establish the order of district grant priority:**

(a) Grants to facilities of organizations employing individuals with disabilities under sections 178.900 to 178.960 or sections 205.968 to 205.972;

(b) Grants for proposals that will promote and maximize the sharing of district resources;

(c) Grants for proposals which provide methods of recycling and solid waste reduction; and

(d) All other grants.

Any **allocated district** moneys remaining in any fiscal year due to insufficient or inadequate **grant** applications [may] **shall** be reallocated [pursuant to this subdivision] **for grant applications in subsequent years or for solid waste management projects other than district operations, including a district's next request for solid waste management project proposals. Any allocated district moneys remaining after a period of five years shall revert to the credit of the solid waste management fund created under section 260.330;**

(3) Except for the amount up to one-fourth of the department's previous fiscal year expense, any remaining unencumbered funds generated under subdivision (1) of this subsection in prior fiscal years shall be reallocated under this section;

(4) Funds may be made available under this subsection for the administration and grants of the used motor oil program described in section 260.253;

(5) The department and the environmental improvement and energy resources authority shall conduct sample audits of grants provided under this subsection.

3. In addition to the criteria listed in this section, the advisory board created in section 260.345 shall recommend criteria to be used to allocate grant moneys to districts, cities and counties. These criteria shall establish a priority for proposals which provide methods of solid waste reduction and recycling. The department shall promulgate criteria for evaluating grants by rule and regulation. Projects of cities and counties located within a district which are funded by grants under this section shall conform to the district solid waste management plan.

4. The funds awarded to the districts[, counties and cities] pursuant to this section shall be used for the purposes set forth in sections 260.300 to 260.345, and shall be used in addition to existing funds appropriated by counties and cities for solid waste management and shall not supplant county or city appropriated funds.

5. Once grants are approved by the solid waste management district, the district shall submit to the department the appropriate forms associated with the grant application and any supporting information to verify that appropriate public notice procedures were followed, that grant proposals were reviewed and ranked by the district, and that only eligible costs as set forth in regulations are to be funded. Within thirty days, the department shall review the grant application. If the department finds any deficiencies, or needs more information in order to evaluate the grant application, the department shall notify the district in writing. The district shall have an additional thirty days to respond to the department's request and to submit any additional information to the department. Within thirty days of receiving additional information, the department shall either approve or deny the grant application. If the department takes no action, the grant application shall be deemed approved. The department, in conjunction with the solid waste advisory board, shall review the performance of all grant recipients to ensure that grant moneys were appropriately and effectively expended to further the purposes of the grant, as expressed in the recipient's grant application. The grant application shall contain specific goals and implementation dates, and grant recipients shall be contractually obligated to fulfill same. The department may require the recipient to submit periodic reports and such other data as are necessary, both during the grant period and up to five years thereafter, to ensure compliance with this section. The department may audit the records of any recipient to ensure compliance with this section. Recipients of grants under sections 260.300 to 260.345 shall maintain such records as required by the department. If a grant recipient fails to maintain records or submit reports as required herein, refuses the department access to the records, or fails to meet the department's performance standards, the department may withhold subsequent grant payments, if any, and may compel the repayment of funds provided to the recipient pursuant to a grant.

6. The department shall provide for a security interest in any machinery or equipment purchased through grant moneys distributed pursuant to this section.

7. If the moneys are not transmitted to the department within the time frame established by the rule promulgated, interest shall be imposed on the moneys due the department at the rate of ten percent per annum from the prescribed due date until payment is actually made. These interest amounts shall be deposited to the credit of the solid waste management fund.

260.345. 1. A state "Solid Waste Advisory Board" is created within the department of natural resources. The advisory board shall be composed of the chairman of the executive board of each of the solid waste management districts **or his or her designee**, and other members as provided in this section. Up to five additional members shall be appointed by the **program director of the solid waste management program** of which two members shall represent the solid waste management industry and have an economic interest in or activity with any solid waste facility or operation, one member may represent the solid waste composting or recycling industry businesses, and the remaining members shall be public members who have demonstrated interest in solid waste management issues and shall have no economic interest in or activity with any solid waste facility or operation but may own stock in a publicly traded corporation which may be involved in waste management as long as such holdings are not substantial. **Beginning January 1, 2016**, the advisory board shall [advise] **prepare an annual report due on or before January first** advising the department regarding:

- (1) The efficacy of its technical assistance program;
- (2) Solid waste management problems experienced by solid waste management districts;

- (3) The effects of proposed rules and regulations upon solid waste management within the districts;
- (4) Criteria to be used in awarding grants pursuant to section 260.335;
- (5) Waste management issues pertinent to the districts;
- (6) The development of improved methods of solid waste minimization, recycling and resource recovery; [and]
- (7) **Unfunded solid waste management projects; and**
- (8) Such other matters as the advisory board may determine.

2. The advisory board shall also prepare a report on the subjects listed in subdivisions (1) to (8) of subsection 1 of this section for any standing, statutory, interim, or select committee or task force of the general assembly having jurisdiction over solid waste. If a report is so prepared, it shall be delivered to the chair and vice-chair of each committee or task force having such jurisdiction. Such a report shall not be generated and distributed on more than an annual basis.

3. The advisory board shall hold regular meetings on a quarterly basis. A special meeting of the advisory board may occur upon a majority vote of all advisory board members at a regular quarterly meeting. Reasonable written notice of all meetings shall be given by the director of the solid waste management program to all members of the advisory board. A majority of advisory board members shall constitute a quorum for the transaction of business. All actions of the advisory board shall be taken at regular quarterly meetings open to the public.”; and

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Romine offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Bill No. 92, Page 63, Section 643.078, Line 10, of said page, by striking the opening bracket “[“ and the closing bracket “]” from said line; and further amend said line, by striking all of the underlined language from said line and inserting in lieu thereof the following: “, **or renewed**”; and further amend line 11 of said page, by striking the word “revoked”; and further amend said line, by striking the opening bracket “[“; and further amend line 12 of said page, by striking the closing bracket “]”.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator Brown offered **SA 3:**

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Bill No. 92, Page 88, Section 644.056, Line 25, of said page, by inserting after all of said line the following:

“644.145. 1. When issuing permits under this chapter that incorporate a new requirement for discharges from publicly owned combined or separate sanitary or storm sewer systems or **water or sewer** treatment works, or when enforcing provisions of this chapter or the Federal Water Pollution Control Act, 33 U.S.C. Section 1251, et seq., pertaining to any portion of a publicly owned combined or separate sanitary or storm sewer system or **water or sewer** treatment works, the department of natural resources shall make a finding

of affordability on the costs to be incurred and the impact of any rate changes on ratepayers upon which to base such permits and decisions, to the extent allowable under this chapter and the Federal Water Pollution Control Act.

2. (1) The department of natural resources shall not be required under this section to make a finding of affordability when:

(a) Issuing collection system extension permits;

(b) Issuing National Pollution Discharge Elimination System operating permit renewals which include no new environmental requirements; or

(c) The permit applicant certifies that the applicable requirements are affordable to implement or otherwise waives the requirement for an affordability finding; however, at no time shall the department require that any applicant certify, as a condition to approving any permit, administrative or civil action, that a requirement, condition, or penalty is affordable.

(2) The exceptions provided under paragraph (c) of subdivision (1) of this subsection do not apply when the community being served has less than three thousand three hundred residents.

3. When used in this chapter and in standards, rules and regulations promulgated pursuant to this chapter, the following words and phrases mean:

(1) "Affordability", with respect to payment of a utility bill, a measure of whether an individual customer or household with an income equal to [the] **or** lower [of] **than** the median household income for their community [or the state of Missouri] can pay the bill without undue hardship or unreasonable sacrifice in the essential lifestyle or spending patterns of the individual or household, taking into consideration the criteria described in subsection 4 of this section;

(2) "Financial capability", the financial capability of a community to make investments necessary to make water quality-related improvements;

(3) "Finding of affordability", a department statement as to whether an individual or a household receiving as income an amount equal to [the] **or** lower [of] **than** the median household income for the applicant community [or the state of Missouri] would be required to make unreasonable sacrifices in [their] **the individual's or the household's** essential lifestyle or spending patterns or undergo hardships in order to make the projected monthly payments for sewer services. The department shall make a statement that the proposed changes meet the definition of affordable, or fail to meet the definition of affordable, or are implemented as a federal mandate regardless of affordability.

4. The department of natural resources shall adopt procedures by which it will make affordability findings that evaluate the affordability of permit requirements and enforcement actions described in subsection 1 of this section, and may begin implementing such procedures prior to promulgating implementing regulations. The commission shall have the authority to promulgate rules to implement this section pursuant to chapters 536 and 644, and shall promulgate such rules as soon as practicable. Affordability findings shall be based upon reasonably verifiable data and shall include an assessment of affordability with respect to persons or entities affected. The department shall offer the permittee an opportunity to review a draft affordability finding, and the permittee may suggest changes and provide additional supporting information, subject to subsection 6 of this section. The finding shall be based upon the following criteria:

- (1) A community's financial capability and ability to raise or secure necessary funding;
 - (2) Affordability of pollution control options for the individuals or households at or below the median household income level of the community;
 - (3) An evaluation of the overall costs and environmental benefits of the control technologies;
 - (4) Inclusion of ongoing costs of operating and maintaining the existing wastewater collection and treatment system, including payments on outstanding debts for wastewater collection and treatment systems when calculating projected rates;
 - (5) An inclusion of ways to reduce economic impacts on distressed populations in the community, including but not limited to low- and fixed-income populations. This requirement includes but is not limited to:
 - (a) Allowing adequate time in implementation schedules to mitigate potential adverse impacts on distressed populations resulting from the costs of the improvements and taking into consideration local community economic considerations; and
 - (b) Allowing for reasonable accommodations for regulated entities when inflexible standards and fines would impose a disproportionate financial hardship in light of the environmental benefits to be gained;
 - (6) An assessment of other community investments and operating costs relating to environmental improvements and public health protection;
 - (7) An assessment of factors set forth in the United States Environmental Protection Agency's guidance, including but not limited to the "Combined Sewer Overflow Guidance for Financial Capability Assessment and Schedule Development" that may ease the cost burdens of implementing wet weather control plans, including but not limited to small system considerations, the attainability of water quality standards, and the development of wet weather standards; and
 - (8) An assessment of any other relevant local community economic condition.
5. Prescriptive formulas and measures used in determining financial capability, affordability, and thresholds for expenditure, such as median household income, should not be considered to be the only indicator of a community's ability to implement control technology and shall be viewed in the context of other economic conditions rather than as a threshold to be achieved.
6. Reasonable time spent preparing draft affordability findings, allowing permittees to review draft affordability findings or draft permits, or revising draft affordability findings, shall be allowed in addition to the department's deadlines for making permitting decisions pursuant to section 644.051.
7. If the department of natural resources fails to make a finding of affordability where required by this section, then the resulting permit or decision shall be null, void and unenforceable.
8. The department of natural resources' findings under this section may be appealed to the commission pursuant to subsection 6 of section 644.051.
9. The department shall file an annual report by the beginning of the fiscal year with the governor, the speaker of the house of representatives, the president pro tempore of the senate, and the chairs of the committees in both houses having primary jurisdiction over natural resource issues showing at least the following information on the findings of affordability completed in the previous calendar year:

(1) The total number of findings of affordability issued by the department, those categorized as affordable, those categorized as not meeting the definition of affordable, and those implemented as a federal mandate regardless of affordability;

(2) The average increase in sewer rates both in dollars and percentage for all findings found to be affordable;

(3) The average increase in sewer rates as a percentage of median house income in the communities for those findings determined to be affordable and a separate calculation of average increases in sewer rates for those found not to meet the definition of affordable;

(4) A list of all the permit holders receiving findings, and for each permittee the following data taken from the finding of affordability shall be listed:

(a) Current and projected monthly residential sewer rates in dollars;

(b) Projected monthly residential sewer rates as a percentage of median [house] **household** income;

(c) Percentage of households at or below the state poverty rate.”; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe moved that **SS** for **HB 92**, as amended, be adopted, which motion prevailed.

On motion of Senator Kehoe, **SS** for **HB 92**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Sater—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 1149, introduced by Representative Lauer, with **SCS**, entitled:

An Act to repeal sections 219.011, 219.021, and 219.091, RSMo, and to enact in lieu thereof four new

sections relating to the division of youth services.

Was called from the Informal Calendar and taken up by Senator Romine.

SCS for HB 1149, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1149**

An Act to repeal sections 219.011, 219.021, and 219.091, RSMo, and to enact in lieu thereof four new sections relating to the division of youth services.

Was taken up.

Senator Romine moved that **SCS for HB 1149** be adopted, which motion prevailed.

Having voted on the prevailing side, Senator Schaaf moved that the vote by which **SCS for HB 1149** was adopted, be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senator LeVota—1

Absent—Senator Schmitt—1

Absent with leave—Senators—None

Vacancies—None

Senator Romine offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 1149, Pages 8-9, Section 219.095, Lines 76-95, by striking all of said lines; and further amend said section by renumbering the remaining subsection accordingly.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator Romine moved that **SCS for HB 1149**, as amended, be adopted, which motion prevailed.

On motion of Senator Romine, **SCS for HB 1149** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh

Wasson Wieland—34

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 618**, with **SCS**, entitled:

An Act to repeal sections 194.119 and 214.208, RSMo, and to enact in lieu thereof two new sections relating to human remains.

Was called from the Informal Calendar and taken up by Senator Wasson.

SCS for **HCS** for **HB 618**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 618

An Act to repeal sections 193.015, 193.145, 194.119, and 214.208, RSMo, and to enact in lieu thereof four new sections relating to human remains.

Was taken up.

Senator Wasson moved that **SCS** for **HCS** for **HB 618** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **HCS** for **HB 618** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 385, entitled:

An Act to repeal section 339.010, RSMo, and to enact in lieu thereof one new section relating to real estate transactions.

Was called from the Informal Calendar and taken up by Senator Schaefer.

On motion of Senator Schaefer, **HCS for HB 385** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 522, introduced by Representative Cookson, **HB 34**, introduced by Representative Walker, **HB 133**, introduced by Representative Rowland, **HB 134**, introduced by Representative Rowland, **HB 810**, introduced by Representative Miller, **HB 338**, introduced by Representative McGaugh and **HB 873**, introduced by Representative Johnson, with **SCS**, entitled respectively:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial bridge.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

Was called from the Informal Calendar and taken up by Senator Libla.

SCS for HB 522, HB 34, HB 133, HB 134, HB 810, HB 338 and HB 873, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 522,
HOUSE BILL NO. 34,
HOUSE BILL NO. 133
HOUSE BILL NO. 134,
HOUSE BILL NO. 810
HOUSE BILL NO. 338
AND
HOUSE BILL NO. 873

An Act to repeal section 227.297, RSMo, and to enact in lieu thereof nine new sections relating to bridge and highway designations.

Was taken up.

Senator Libla moved that **SCS for HB 522, HB 34, HB 133, HB 134, HB 810, HB 338 and HB 873** be adopted, which motion prevailed.

On motion of Senator Libla, **SCS for HB 522, HB 34, HB 133, HB 134, HB 810, HB 338 and HB 873** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 616, introduced by Representative Dohrman, entitled:

An Act to amend chapter 137, RSMo, by adding thereto one new section relating to assessment in newly created political subdivisions.

Was called from the Informal Calendar and taken up by Senator Kraus.

Senator Kraus offered **SS** for **HB 616**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 616

An Act to amend chapter 137, RSMo, by adding thereto two new sections relating to assessment of property taxes.

On motion of Senator Kraus, **SS** for **HB 616** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

REFERRALS

President Pro Tem Dempsey referred **HCS** for **HB 538**, with **SCS**, to the Committee on Governmental Accountability and Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 35**, entitled:

An Act to amend chapter 208, RSMo, by adding thereto two new sections relating to public assistance.

With House Amendment Nos. 1, 2, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended and House Amendment Nos. 5 and 6.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 35, Page 1, Section 208.065 , Line 5, by deleting all of said line and inserting in lieu thereof the following: **“program; child care”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 35, Page 1, Section A, Line 2, by inserting after all of said line the following:

“208.023. The department of social services shall seek a waiver from the federal government to mandate the use of photo identification for continued eligibility in the food stamp program administered in Missouri. Upon one year after approval by the federal government, all electronic benefit cards distributed to recipients of food stamps shall have imprinted on the card a photograph of the recipient or protective payee authorized to use the card and shall expire and be subject to renewal after a period of three years. The card shall not be accepted for use by a retail establishment if the photograph of the recipient does not match the person presenting the card.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 35, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“208.024. 1. Eligible recipients of temporary assistance for needy families (TANF) or [supplementary] supplemental nutrition assistance program (SNAP) benefits shall not use such funds in any electronic benefit transfer transaction in any liquor store, casino, gambling casino, or gaming establishment, any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or in any place for the purchase of alcoholic beverages, lottery tickets, pornography, or tobacco products or for any item the department determines by rule is primarily marketed for or used by adults eighteen or older and is not in the best interests of the child or household. An eligible recipient of TANF or SNAP assistance who makes a purchase in violation of this section shall reimburse the department of social services for such purchase. For any third or subsequent offense, a TANF recipient shall lose his or her TANF benefits for a period of two years.

2. An individual, store owner or proprietor of an establishment shall not knowingly accept TANF cash assistance or supplementary nutrition assistance program (SNAP) funds held on electronic benefit transfer cards for the purchase of alcoholic beverages, lottery tickets, pornography, or tobacco products or for use in any electronic benefit transfer transaction in any liquor store, casino, gambling casino, or gaming establishment, any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment, or in any place for the purchase of alcoholic beverages, lottery tickets, pornography, or tobacco products or for any item the department determines by rule is primarily marketed for or used by adults eighteen or older and is not in the best interests of the child or household. No store owner or proprietor of any liquor store, casino, gambling casino, gaming establishment, or any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment shall adopt any policy, either explicitly or implicitly, which encourages, permits, or acquiesces in its employees knowingly accepting electronic benefit transfer cards in violation of this section. This section shall not be construed to require any store owner or proprietor of an establishment which is not a liquor store, casino, gambling casino, gaming establishment, or retail establishment which provides adult-oriented entertainment in which performers disrobe or perform

in an unclothed state for entertainment to check the source of payment from every individual who purchases alcoholic beverages, lottery tickets, tobacco products, or any item the department determines by rule is primarily marketed for or used by adults eighteen or older and is not in the best interests of the child or household. An individual, store owner or proprietor of an establishment who knowingly accepts electronic benefit transfer cards in violation of this section shall be punished by a fine of not more than five hundred dollars for the first offense, a fine of not less than five hundred dollars nor more than one thousand dollars for the second offense, and a fine of not less than one thousand dollars for the third or subsequent offense.

3. Any recipient of TANF or SNAP benefits who does not make at least one electronic benefit transfer transaction within the state for a period of ninety days shall have his or her benefit payments to the electronic benefit account temporarily suspended, pending an investigation by the department of social services to determine if the recipient is no longer a Missouri resident. If the department finds that the recipient is no longer a Missouri resident, it shall close the recipient's case. Closure of a recipient's case shall trigger the automated benefit eligibility process under section 208.238. A recipient may appeal the closure of his or her case to the director under section 208.080.

4. A recipient who does not make an electronic benefit transfer transaction within the state for a period of sixty days shall be provided notice of the possibility of the suspension of funds if no electronic benefit transfer transaction occurs in the state within another thirty days after the date of the notice.

5. The total amount of cash benefits accessed by a TANF or SNAP benefits recipient with his or her electronic benefit transfer (EBT) card from an ATM, as cash back on a purchase, and through any other means of accessing cash from an EBT card shall not exceed forty dollars per month.

6. For purposes of this section:

(1) The following terms shall mean:

(a) "Electronic benefit transfer transaction", the use of a credit or debit card service, automated teller machine, point-of-sale terminal, or access to an online system for the withdrawal of funds or the processing of a payment for merchandise or a service; [and]

(b) "Liquor store", any retail establishment which sells exclusively or primarily intoxicating liquor. Such term does not include a grocery store which sells both intoxicating liquor and groceries including staple foods as outlined under the Food and Nutrition Act of 2008;

(c) "Pornography", any of the following:

a. Any obscene material or performance depicting sexual conduct, sexual contact as defined in section 566.010, or a sexual performance; or

b. Any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct; and

(d) "Tobacco products", cigarettes, cigarette papers, cigars, smokeless tobacco, smoking tobacco, vapor products, or any other form of tobacco products or products made with tobacco substitute containing nicotine;

(2) Casinos, gambling casinos, or gaming establishments shall not include:

(a) A grocery store which sells groceries including staple foods, and which also offers, or is located within the same building or complex as a casino, gambling, or gaming activities; or

(b) Any other establishment that offers casino, gambling, or gaming activities incidental to the principal purpose of the business.

208.670. 1. As used in this section, these terms shall have the following meaning:”; and

Further amend said amendment, Page 6, Line 14, by inserting immediately after said line the following:

“Further amend said bill, Page 2, Section 208.078, Line 4, by inserting after all of said section and line the following:

“[208.182. 1. The family support division shall establish pilot projects in St. Louis City and in any county with a population of six hundred thousand or more, which shall provide for a system of electronic transfer of benefits to public assistance recipients. Such system shall allow recipients to obtain cash from automated teller machines or point of sale terminals. If less than the total amount of benefits is withdrawn, the recipient shall be given a receipt showing the current status of his or her account.

2. The disclosure of any information provided to a financial institution, business or vendor by the family support division under this section is prohibited. Such financial institution, business or vendor may not use or sell such information and may not divulge the information without a court order. Violation of this subsection is a class A misdemeanor.

3. Subject to appropriations and subject to receipt of waivers from the federal government to prevent the loss of any federal funds, the department of social services shall require the use of photographic identification on electronic benefit transfer cards issued to recipients in this system. Such photographic identification electronic benefit transfer card shall be in a form approved by the department of social services.

4. The family support division shall promulgate rules and regulations necessary to implement the provisions of this section pursuant to section 660.017 and chapter 536.

5. The delivery of electronic benefits and the electronic eligibility verification, including, but not limited to, aid to families with dependent children (AFDC), women, infants and children (WIC), early periodic screening diagnosis and treatment (EPSDT), food stamps, supplemental security income (SSI), including Medicaid, child support, and other programs, shall reside in one card that may be enabled by function from time to time in a convenient manner.]”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 35, Page 2, Section 208.078, Line 4, by inserting after all of said section and line the following:

“208.670. 1. As used in this section, these terms shall have the following meaning:

(1) “Provider”, any provider of medical services and mental health services, including all other medical disciplines;

(2) “Telehealth”, the use of medical information exchanged from one site to another via electronic communications to improve the health status of a patient.

2. The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the practice of telehealth in the MO HealthNet program. Such rules shall address, but not be limited to, appropriate standards for the use of telehealth, certification of agencies offering telehealth, and payment for services by providers. Telehealth providers shall be required to obtain patient consent before telehealth services are initiated and to ensure confidentiality of medical information.

3. Telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. Reimbursement for such services shall be made in the same way as reimbursement for in-person contacts.

4. The provisions of section 208.671 shall apply to the use of asynchronous store-and-forward technology in the practice of telehealth.

208.671. 1. As used in this section and section 208.673, the following terms shall mean:

(1) **“Asynchronous store-and-forward”, the transfer of a patient’s clinically important digital samples, such as still images, videos, audio, and text files, and relevant data from an originating site through the use of a camera or similar recording device that stores digital samples that are forwarded via telecommunication to a distant site for consultation by a consulting provider without requiring the simultaneous presence of the patient and the patient’s treating provider;**

(2) **“Asynchronous store-and-forward technology”, cameras or other recording devices that store images which may be forwarded via telecommunication devices at a later time;**

(3) **“Consultation”, a type of evaluation and management service as defined by the most recent edition of the Current Procedural Terminology published annually by the American Medical Association;**

(4) **“Consulting provider”, a provider who, upon referral by the treating provider, evaluates a patient and appropriate medical data or images delivered through asynchronous store-and-forward technology. If a consulting provider is unable to render an opinion due to insufficient information, the consulting provider may request additional information to facilitate the rendering of an opinion or decline to render an opinion;**

(5) **“Distant site”, a site where the consulting provider is located at the time the consultation service is provided;**

(6) **“Originating site”, the site where a MO HealthNet participant receiving services and such participant’s treating provider are both physically located;**

(7) **“Provider”, any provider of medical services, mental health services, or dental services, including all other medical disciplines, licensed in this state who has the authority to refer patients for medical services or mental health services within the scope of practice and licensure of the provider;**

(8) **“Telehealth”, the same meaning as such term is defined in section 208.670. Telehealth shall include the use of asynchronous store-and-forward technology for orthopedics, dermatology,**

ophthalmology in cases of diabetic retinopathy, burn and wound care, and maternal-fetal medicine ultrasounds;

(9) “Treating provider”, a provider who:

(a) Evaluates a patient;

(b) Determines the need for a consultation;

(c) Arranges the services of a consulting provider for the purpose of diagnosis and treatment;

(d) Provides or supplements the patient’s history and provides pertinent physical examination findings and medical information to the consulting provider; and

(e) Is physically present in the same location as the patient during the time of the asynchronous store-and-forward services.

2. The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the use of asynchronous store-and-forward technology in the practice of telehealth in the MO HealthNet program. Such rules shall address, but not be limited to:

(1) Appropriate standards for the use of asynchronous store-and-forward technology in the practice of telehealth;

(2) Certification of agencies offering asynchronous store-and-forward technology in the practice of telehealth;

(3) Time lines for completion and communication of a consulting provider’s consultation or opinion, or if the consulting provider is unable to render an opinion, time lines for communicating a request for additional information or that the consulting provider declines to render an opinion;

(4) Length of time digital files of such asynchronous store-and-forward services are to be maintained;

(5) Security and privacy of such digital files;

(6) Patient consent for asynchronous store-and-forward services; and

(7) Payment for services by providers; except that, consulting providers who decline to render an opinion shall not receive payment under this section unless and until an opinion is rendered.

Telehealth providers using asynchronous store-and-forward technology shall be required to obtain patient consent before asynchronous store-and-forward services are initiated and to ensure confidentiality of medical information.

3. Asynchronous store-and-forward technology in the practice of telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. The total payment for both the treating provider and the consulting provider shall not exceed the payment for a face-to-face consultation of the same level.

4. The standard of care for the use of asynchronous store-and-forward technology in the practice of telehealth shall be the same as the standard of care for face-to-face care.

208.673. 1. There is hereby established the “Telehealth Services Advisory Committee” to advise the department of social services and propose rules regarding the coverage of telehealth services utilizing asynchronous store-and-forward technology.

2. The committee shall be comprised of the following members:

- (1)** The director of the MO HealthNet division, or the director’s designee;
- (2)** The medical director of the MO HealthNet division;
- (3)** A representative from a Missouri institution of higher education with expertise in telemedicine;
- (4)** A representative from the Missouri office of primary care and rural health;
- (5)** Two board-certified specialists licensed to practice medicine in this state;
- (6)** A representative from a hospital located in this state that utilizes telehealth medicine;
- (7)** A primary care provider from a federally qualified health center (FQHC) or rural health clinic; and
- (8)** A primary care provider from a rural setting other than from an FQHC or rural health clinic.

3. Members of the committee listed in subdivisions (3) to (8) of subsection 2 of this section shall be appointed by the governor, with the advice and consent of the senate. The first appointments to the committee shall consist of three members to serve three-year terms, two members to serve two-year terms, and two members to serve one-year terms as designated by the governor. Each member of the committee shall serve for a term of three years thereafter.

4. Members of the committee shall not receive any compensation for their services but shall be reimbursed for any actual and necessary expenses incurred in the performance of their duties.

5. Any member appointed by the governor may be removed from office by the governor without cause. If there is a vacancy for any cause, the governor shall make an appointment to become effective immediately for the unexpired term.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.

208.675. For purposes of the provision of telehealth services, the following individuals, licensed in Missouri, shall be considered eligible health care providers:

- (1)** Physicians, assistant physicians, and physician assistants;
- (2)** Advanced practice registered nurses;
- (3)** Dentists, oral surgeons, and dental hygienists under the supervision of a currently registered and licensed dentist;

- (4) Psychologists and provisional licensees;**
- (5) Pharmacists;**
- (6) Speech, occupational, or physical therapists;**
- (7) Clinical social workers;**
- (8) Podiatrists;**
- (9) Licensed professional counselors; or**

(10) Eligible health care providers under subdivisions (1) through (9) of this section practicing in a rural health clinic, federally qualified health center, or community mental health center.

208.677. 1. For purposes of the provision of telehealth services, the term “originating site” shall mean a telehealth site where the MO HealthNet participant receiving the telehealth service is located for the encounter, and the term “clinical staff” shall mean any health care provider licensed in this state. The originating site shall ensure immediate availability of clinical staff during a telehealth encounter if a participant requires assistance. No originating site for services or activities provided under section 208.686 shall be required to maintain immediate availability of on-site clinical staff during the telemonitoring services or activities. An originating site shall be one of the following locations:

- (1) Office of a physician or health care provider;**
- (2) Hospital;**
- (3) Critical access hospital;**
- (4) Rural health clinic;**
- (5) Federally qualified health center;**
- (6) Long-term care facility licensed under chapter 198;**
- (7) Dialysis center;**
- (8) Missouri state habilitation center or regional office;**
- (9) Community mental health center;**
- (10) Missouri state mental health facility;**
- (11) Missouri state facility;**

(12) Missouri residential treatment facility licensed by and under contract with the children’s division (CD) that has a contract with the CD. Facilities shall have multiple campuses and have the ability to adhere to technology requirements. Only Missouri licensed psychiatrists, licensed psychologists, or provisionally licensed psychologists, and advanced practice registered nurses who are enrolled MO HealthNet providers shall be consulting providers at these locations;

- (13) Comprehensive substance treatment and rehabilitation (CSTAR) program;**
- (14) School;**
- (15) The MO HealthNet recipient’s home; or**

(16) Clinical designated area in a pharmacy.

2. If the originating site is a school, the school shall obtain permission from the parent or guardian of any student receiving telehealth services prior to each provision of service.

208.686. 1. Subject to appropriations, the department shall establish a statewide program that permits reimbursement under the MO HealthNet program for home telemonitoring services. For the purposes of this section, “home telemonitoring service” shall mean a health care service that requires scheduled remote monitoring of data related to a patient’s health and transmission of the data to a Utilization Review Accreditation Commission (URAC) accredited health call center.

2. The program shall:

(1) Provide that home telemonitoring services are available only to persons who:

(a) Are diagnosed with one or more of the following conditions:

- a. Pregnancy;**
- b. Diabetes;**
- c. Heart disease;**
- d. Cancer;**
- e. Chronic obstructive pulmonary disease;**
- f. Hypertension;**
- g. Congestive heart failure;**
- h. Mental illness or serious emotional disturbance;**
- i. Asthma;**
- j. Myocardial infarction; or**
- k. Stroke; and**

(b) Exhibit two or more of the following risk factors:

- a. Two or more hospitalizations in the prior twelve-month period;**
- b. Frequent or recurrent emergency department admissions;**
- c. A documented history of poor adherence to ordered medication regimens;**
- d. A documented history of falls in the prior six-month period;**
- e. Limited or absent informal support systems;**
- f. Living alone or being home alone for extended periods of time; or**
- g. A documented history of care access challenges;**

(2) Ensure that clinical information gathered by a home health agency or hospital while providing home telemonitoring services is shared with the patient’s physician; and

(3) Ensure that the program does not duplicate any disease management program services provided by MO HealthNet.

3. If, after implementation, the department determines that the program established under this section is not cost effective, the department may discontinue the program and stop providing reimbursement under the MO HealthNet program for home telemonitoring services.

4. The department shall determine whether the provision of home telemonitoring services to persons who are eligible to receive benefits under both the MO HealthNet and Medicare programs achieves cost savings for the Medicare program.

5. If, before implementing any provision of this section, the department determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the department shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

6. The department shall promulgate rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 35, Page 2, Section 208.078, Line 4, by inserting immediately after said line the following:

“Section 1. No recommendation for a wage rate for any personal care attendant, as defined in section 208.900(6), shall be implemented unless there are specific annual appropriations made by the general assembly to fund such wage rate recommendations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 35, Page 2, Section 208.078, Line 4, by inserting after all of said line and section the following:

“660.755. 1. There shall be created the joint interim legislative committee on human investment and social impact bonds.

2. The committee shall consist of the following members:

(1) Six members of the house of representatives, four appointed by the speaker of the house and two appointed by the minority floor leader; and

(2) Six members of the senate, four appointed by the president pro tem of the senate and two by the minority leader of the senate.

A majority of the members of the committee shall constitute a quorum. The members shall select one of its members to serve as chair and one to serve as vice chair.

3. The committee shall:

(1) Research the Pay for Success federal program and similar state program to determine whether a similar program would be beneficial to Missouri;

(2) Determine the feasibility of whether social impact bonds would be a beneficial financial tool for Missouri;

(3) Determine whether social impact bond agreements would use public resources more efficiently and improve services for disadvantaged populations;

(4) Identify third party providers that create and implement prevention-based social service programs and service that demonstrably result in positive impacts for individuals and families that are cost beneficial and that efficiently utilize government resources, such programs may focus on recidivism, homelessness, workforce development, preventative health care, early childhood and home-visiting program, or the foster care system;

(5) Develop and approve metrics by which to evaluate the third party provider's fiscal impact and project efficacy;

(6) Identify third party evaluators that determine whether a social impact bond agreement has been successfully performed; and

(7) Compile a full report on social impact bonds for the submission to the general assembly by January thirtieth of each year that the general assembly convenes in regular session.

3. The provisions of this section shall expire on January 30, 2020.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 42**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 42**.

Emergency clause adopted.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HB 152**, as amended. Representatives: Haahr, Cornejo, Austin, McCreery and LaFaver.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **HB 615**. Representatives: Dohrman, Gosen, Austin, Webber and McManus.

PRIVILEGED MOTIONS

Senator Pearce, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 42** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 42

The Conference Committee appointed on the Senate Committee Substitute for House Committee Substitute for House Bill No. 42, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amend No. 1 to Senate Amendment No. 5, Senate Amendment No. 5, as amended, Senate Amendment No. 6, and Senate Amendment No. 7 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 42, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 42;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 42, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Mike Cierpiot
/s/ Mike Lair
/s/ David Wood
/s/ Courtney Allen Curtis
Tommie Pierson

FOR THE SENATE:

/s/ Ed Emery
/s/ David Pearce
/s/ Eric Schmitt
/s/ Maria Chappelle-Nadal
/s/ Jason Holsman

Senator Pearce moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Dempsey	Dixon	Emery	Keaveny	Kehoe	Munzlinger
Nasheed	Onder	Parson	Pearce	Richard	Riddle	Sater	Schaaf
Schaefer	Schmitt	Sifton	Wieland—20				

NAYS—Senators

Cunningham	Curls	Hegeman	Holsman	Kraus	LeVota	Libla	Romine
Schatz	Schupp	Silvey	Wallingford	Walsh	Wasson—14		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Pearce, **CCS** for **SCS** for **HCS** for **HB 42**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 42

An Act to repeal sections 163.011 and 163.031 as enacted by house bill no. 1689, ninety-seventh general assembly, second regular session, and sections 160.011, 160.400, 160.403, 160.405, 160.410, 160.415,

160.417, 160.425, 162.081, 162.1250, 163.018, 163.036, 167.121, 167.131, 171.031, and 210.861, RSMo, and to enact in lieu thereof fifty-one new sections relating to elementary and secondary education, with an emergency clause.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Dempsey	Dixon	Emery	Keaveny	Kehoe	Libla
Munzlinger	Nasheed	Onder	Parson	Pearce	Richard	Riddle	Sater
Schaaf	Schaefer	Schatz	Schmitt	Sifton	Silvey	Wieland—23	

NAYS—Senators

Cunningham	Curls	Hegeman	Holsman	Kraus	LeVota	Romine	Schupp
Wallingford	Walsh	Wasson—11					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Keaveny	Kehoe	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Sater	Schaaf	Schaefer	Schatz	Schmitt	Sifton
Silvey	Wallingford	Wieland—27					

NAYS—Senators

Holsman	Kraus	LeVota	Romine	Schupp	Walsh	Wasson—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Wallingford moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 35**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HB 1127**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 185**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS for HB 17**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS for HB 18**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS for HB 19**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following report:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 494**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 982**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 64**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 341**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 218**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS for HB 734**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS for HB 1019**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 1010**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 276**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **HCS for HB 117**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HB 101**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 1305**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS for HB 1002**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS** for **HB 635**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 675**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 210**, begs leave to report that it has considered the same and recommends that the bill do pass.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 278**, as amended: Senators Schatz, Libla, Kehoe, Chappelle-Nadal and Curls.

President Pro Tem Dempsey reappointed the following conference committee to act with a like committee from the House on **HCS** for **SB 13**, as amended: Senators Munzlinger, Pearce, Onder, Chappelle-Nadal and Walsh.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 152**, as amended: Senators Wallingford, Romine, Libla, Sifton and Holsman.

RESOLUTIONS

Senator Walsh offered Senate Resolution No. 1047, regarding Ruth Gannaway, St. Louis, which was adopted.

Senator Brown offered Senate Resolution No. 1048, regarding Lidia Collins, which was adopted.

INTRODUCTIONS OF GUESTS

On behalf of Senators Parson and Pearce, the President introduced to the Senate, Keelly Jones, Sedalia.

Senator Nasheed introduced to the Senate, Matthew Smith.

On behalf of Senator Pearce, the President introduced to the Senate, Administrator Kirk Thacker, teacher Brent Fleshman, and fourth grade students, Kylee Wheeler, Xavier Toler, Dalton Thacker, Ethan Polk, Hayley Minor, Kaylee McMillan, Mason McGulley, Chelsea Gant, Will Krier, J.W. Doyle, Corbin Barrett and Ben Barnett, Hardin Elementary School.

Senator Curls introduced to the Senate, Matt Helfant and Alesha Williams, Columbia.

Senator Parson introduced to the Senate, Patti Hutton, David Ochs, and twenty-six eighth grade students from Weaubleau R-III School.

Senator Kehoe introduced to the Senate, Father Stephen Jones, President, Helias Catholic High School, Jefferson City.

Senator Kehoe introduced to the Senate, Travis Reynders, Jefferson City.

Senator Schupp introduced to the Senate, Katie Walkley.

Senator Schaaf introduced to the Senate, John Pudner, Auburn, Alabama.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-FOURTH DAY—WEDNESDAY, MAY 6, 2015

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce

(In Fiscal Oversight)

SCS for SB 56-Munzlinger (In Fiscal Oversight)

SS for SB 201-Dixon (In Fiscal Oversight)

SB 203-Dixon (In Fiscal Oversight)

SB 352-Schaefer (In Fiscal Oversight)

SS for SB 540-Libla

(In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

1. HCS for HB 882-McGaugh, with SCS
(Munzlinger) (In Fiscal Oversight)

2. HCS for HBs 578, 574 & 584, with SCS
(Riddle) (In Fiscal Oversight)

3. HB 279-Cornejo, with SCS (Schmitt)
(In Fiscal Oversight)

4. HB 100-Gosen, with SCS (Parson)
(In Fiscal Oversight)

5. HB 799-Roeber, with SCS (Dixon)
(In Fiscal Oversight)

6. HB 529-Gosen, with SCS (Parson)
(In Fiscal Oversight)

7. HB 1070-Davis, with SCS (Brown)
(In Fiscal Oversight)

8. HCS for HB 714 (Wallingford)
(In Fiscal Oversight)

9. HCS for HB 796, with SCS (Sater)
(In Fiscal Oversight)

10. HCS for HB 976, with SCS (Sater)
(In Fiscal Oversight)

11. HCS for HB 137 (Silvey)
(In Fiscal Oversight)

12. HCS for HB 807, with SCS (Dixon)
(In Fiscal Oversight)

13. HB 254-Crawford, with SCS (Parson)
(In Fiscal Oversight)

14. HCS for HB 811, with SCS (Riddle)
(In Fiscal Oversight)

15. HB 32-Hoskins (Pearce)
(In Fiscal Oversight)

16. HB 1127-Johnson, with SCS (Hegeman)

17. HB 185-Love

- | | |
|--|---------------------------------------|
| 18. HCS for HB 17, with SCS (Schaefer) | 28. HB 1010-Brown (57) (Munzlinger) |
| 19. HCS for HB 18, with SCS (Schaefer) | 29. HB 276-Cornejo, with SCS (Onder) |
| 20. HCS for HB 19, with SCS (Schaefer) | 30. HCS for HB 117 (Dixon) |
| 21. HB 494-Leara (Kehoe) | 31. HB 101-Redmon (Libla) |
| 22. HB 982-Rowden | 32. HB 1305-Rowden |
| 23. HB 64-Dugger (Cunningham) | 33. HCS for HB 1002, with SCS (Kehoe) |
| 24. HB 341-Dugger (Kraus) | 34. HCS for HB 635 (Dixon) |
| 25. HB 218-Wilson, with SCS (Dixon) | 35. HB 675-Rowden (Libla) |
| 26. HCS for HB 734, with SCS | 36. HB 210-Conway (104) |
| 27. HCS for HB 1019, with SCS | |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

- | | |
|--|---|
| SB 17-Dixon | SB 227-Emery, with SS (pending) |
| SB 37-Romine, with SCS & SA 1 (pending) | SB 232-Kehoe, with SCS (pending) |
| SB 44-Nasheed, with SCS, SS for SCS & SA 1 (pending) | SB 233-Kehoe, with SCS & SA 2 (pending) |
| SB 46-Holsman | SB 266-Schaefer, with SCS |
| SB 53-Schaaf, with SS#2 (pending) | SB 267-Schaefer, with SCS |
| SB 55-Munzlinger | SB 268-Pearce, with SCS |
| SB 59-Dixon | SB 286-Schaaf and Silvey |
| SB 69-LeVota, with SCS | SB 299-Pearce |
| SB 80-Dixon, with SCS | SB 302-Riddle, with SCS (pending) |
| SB 91-Dixon, with SCS | SB 304-Keaveny, with SCS |
| SBs 112, 212, 143 & 234-Dixon, with SCS | SB 305-Onder |
| SB 117-Brown, with SCS | SB 313-Wallingford, with SCS |
| SB 127-Brown, with SCS | SBs 331 & 21-Libla, with SCS & SS for SCS (pending) |
| SB 130-Walsh and Schupp, with SCS | SB 339-Munzlinger, with SS (pending) |
| SB 151-Sater | SB 358-Kehoe |
| SB 159-Parson | SB 360-Parson, with SCS |
| SB 167-Schaaf, with SCS | SB 371-Munzlinger |
| SB 177-Munzlinger, with SCS | SB 372-Keaveny, with SCS (pending) |
| SB 220-Kehoe | SB 374-Schatz, with SCS |
| SB 225-Romine, with SCS | SB 399-Onder |

SB 400-Onder, with SS (pending)
SB 409-Wallingford, with SCS
SB 420-Schmitt
SB 424-Pearce, with SA 1 (pending)
SB 427-Sifton, with SCS
SB 432-Onder, with SCS
SB 442-Schaefer
SBs 451, 307, 100 & 165-Dixon, with SCS
SB 452-Schmitt, et al, with SA 1 & point
of order (pending)

SB 455-Kehoe
SB 469-Munzlinger
SB 471-Schaaf
SB 481-Onder, with SCS
SB 520-Kehoe, with SCS
SB 528-Sater
SB 567-Chappelle-Nadal, et al
SJR 7-Richard and Wallingford
SJR 12-Onder, with SCS (pending)

HOUSE BILLS ON THIRD READING

HCS for HB 33, with SCS (Parson)
HCS for HB 104 (Schaefer)
HB 108-McCaherty (Dixon)
HCS for HB 112 (Wasson)
HCS for HB 119 (Wallingford)
HB 190-Swan (Wallingford)
HB 233-Franklin, with SCS (Parson)
HB 271-Hoskins (Dixon)
HCS for HB 299, with SCS (Kraus)
HB 336-McGaugh (Kraus)
HB 401-Fraker, with SCS (Sater)
HB 440-Koenig (Kraus)
HCS for HB 478-Fitzwater (Wallingford)
HB 502-Kelley, with SCS (Kraus)
HB 523-Burlison, with SCS (Brown)
HB 533-Dugger, with SCS (Wasson)
HCS for HB 538, with SCS (Brown)
(In Fiscal Oversight)
HB 562-Davis (Wasson)

HB 589-Hough, with SCS (Onder)
HCS for HB 592 (Wasson)
HCS for HB 613, with SCS (Parson)
HB 684-Koenig (Dixon)
HCS for HB 692, with SCS (Munzlinger)
HCS for HB 777 (Kraus)
HB 808-Cornejo, with SCS (Hegeman)
HCS for HB 830, with SCS (Munzlinger)
HB 836-Ross (Libla)
HCS for HB 864 (Kehoe)
HB 923-Miller, with SCS (Kehoe)
HCS for HB 926 (Cunningham)
HCS for HB 1058, with SCS (Brown)
HCS for HB 1063 (Dixon)
HCS for HB 1084 (Romine)
HB 1093-Houghton (Riddle)
HJR 1-Dugger (Kraus)
HCS for HJR 34, with SCS (Schmitt)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 156-Nasheed, with HCS, as amended
SB 164-Sifton, with HCS
SCS for SB 210-Schaefer, with HCS, as
amended
SB 221-Schatz, with HCS

SB 244-Schmitt, with HCS
SCS for SB 341-Riddle, with HCS, as
amended
SCS for SB 345-Wasson, with HA 1

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS for SCS for SB 5-Schmitt, with HCS,
as amended
SS#2 for SCS for SB 11-Richard, with HA 1,
HA 2, as amended, HA 3, as
amended & HA 4
SB 13-Munzlinger, with HCS, as amended
SS for SCS for SB 67-Cunningham, with
HCS, as amended
SB 104-Kraus, with HCS, as amended
(House grants further conference)
SS for SCS for SB 115-Kraus, with HCS,
as amended
SCS for SB 152-Wallingford, with HCS, as
amended (House grants further conference)
SCS for SB 172-Romine, with HCS, as
amended
SB 254-Kraus, with HCS, as amended
SCS for SB 270-Nasheed, with HCS, as
amended

SS for SCS for SB 278-Schatz, with HCS,
as amended
SB 282-Parson, with HCS, as amended
SB 283-Kehoe, with HCS, as amended
SCS for SB 300-Silvey, with HCS, as
amended
SCS for SB 445-Romine, with HCS, as
amended
SB 446-Schupp and Brown, with HA 1 &
HA 2, as amended
SCS for SB 473-Schaaf, with HCS, as
amended
HB 152-Haahr, with SCS, as amended
(Onder)
HB 458-Allen, with SS for SCS, as
amended (Schmitt)
HB 615-Dohrman, with SCS (Schatz)

Requests to Recede or Grant Conference

SCS for SB 35-Wallingford, with HCS, as
amended (Senate requests House
recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 39-Dixon and Holsman
SCR 40-Romine
HCR 18-McCann (Curls)

HCR 26-Shull
HCS for HCR 32 (Romine)
HCR 34-Rowland (Cunningham)

Journal of the Senate

FIRST REGULAR SESSION

SIXTY-FOURTH DAY—WEDNESDAY, MAY 6, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Happy are they who take refuge in him.” (Psalm 2:12b)

We are grateful Lord that You welcome us at all times, all places and moods. We seek You, praying without ceasing to hear us, boldly believing Your assurance that You will be in our presence and be a shield and buckler as we deal with difficult and troublesome people and issues, while guiding and directing our words and actions. And, give us wholesome words to build up those in need and comfort those who hurt. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wieland offered Senate Resolution No. 1049, regarding the Rock Township Ambulance District, Jefferson City, which was adopted.

Senator Romine offered Senate Resolution No. 1050, regarding Donna Hughes, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 1051, regarding Cathy Ruble, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 1052, regarding Patricia Pingel, Mineral Point, which was adopted.

Senator Romine offered Senate Resolution No. 1053, regarding Brian Asher, Granite City, Illinois, which was adopted.

Senator Romine offered Senate Resolution No. 1054, regarding Yvonne Nickless, Festus, which was adopted.

Senator Romine offered Senate Resolution No. 1055, regarding Linda Politte, Park Hills, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which was referred **SCS** for **HB 799**, begs leave to report that it has considered the same and recommends that the bill do pass.

HOUSE BILLS ON THIRD READING

HCS for **HB 17**, with **SCS**, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2015 and ending June 30, 2016.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 17**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 17**

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2015 and ending June 30, 2016.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 17** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 17**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 17

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2015 and ending June 30, 2016.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 17** be adopted, which motion prevailed.

Senator Romine assumed the Chair.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 17** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senator Schmitt—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for **HB 18**, with **SCS**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2015 and ending June 30, 2016.

Was taken up by Senator Schaefer.

SCS for HCS for HB 18, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 18

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2015 and ending June 30, 2016.

Was taken up.

Senator Schaefer moved that **SCS for HCS for HB 18** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS for HCS for HB 18** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HCS for HB 19, with **SCS**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for grants, refunds, distributions, planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2015 and ending June 30, 2016.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 19**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 19

An Act to appropriate money for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds herein designated for the fiscal period beginning July 1, 2015 and ending June 30, 2016.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 19** be adopted.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 19, Page 8, Section 19.235, Line 7, by inserting immediately after the word “Section” the following: “19.135,”; and further amend bill totals accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SCS** for **HCS** for **HB 19**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 19**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators

Kraus Schmitt—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 426**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 334**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 35**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SA 1** and taken up and passed **HB 514**, as amended.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

REFERRALS

President Pro Tem Dempsey referred **HCS** for **HB 117**; **HB 101**; **HB 1305**; **HCS** for **HB 1002**, with **SCS**; **HB 218**, with **SCS**; and **HB 675** to the Committee on Governmental Accountability and Fiscal Oversight.

PRIVILEGED MOTIONS

Senator Schmitt moved that **SB 244**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 244**, entitled:

**HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 244**

An Act to amend chapter 409, RSMo, by adding thereto seven new sections relating to the financial exploitation of certain elderly and disabled individuals.

Was taken up.

Senator Schmitt moved that **HCS** for **SB 244** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed

Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schmitt, **HCS** for **SB 244** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 35**, as amended: Senators Wallingford, Romine, Brown, Keaveny and Schupp.

PRIVILEGED MOTIONS

Senator Wallingford moved that the Senate conferees on **HCS** for **SCS** for **SB 35**, as amended, be allowed to exceed the differences to include optometrists as providers of telehealth services, which motion prevailed.

Senator Wasson moved that **SCS** for **SB 345**, with **HA 1**, be taken up for 3rd reading and final passage, which motion prevailed.

HA 1 was taken up.

Senator Wasson moved that **HA 1** to **SCS** for **SB 345** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators

Kraus Schaaf—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Wasson, **SCS** for **SB 345**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer	Schatz
Schmitt	Schupp	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators

Kraus Schaaf Sifton—3

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Schaefer moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 210**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 104**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 104

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 104, with House Amendments Nos. 1, 2 & 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 104, as amended;
2. That the Senate recede from its position on Senate Bill No. 104;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 104, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus
/s/ Jay Wasson
/s/ Dan Hegeman
Joseph Keaveny
Jill Schupp

FOR THE HOUSE:

/s/ Tony Dugger
/s/ Sue Entlicher
/s/ Justin Alferman
/s/ Pat Conway, 10th
Stacey Newman

Senator Kraus moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators

LeVota Schupp—2

Absent—Senator Holsman—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kraus, **CCS No. 2** for **HCS** for **SB 104**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 104

An Act to repeal sections 115.342, 115.348, 115.350, 116.190, 162.481, 162.491, 178.820, RSMo, and sections 162.025 and 162.491 as enacted by house bill no. 63, ninety-eighth general assembly, first regular session, and to enact in lieu thereof seven new sections relating to elections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Hegeman	Holsman
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Sifton	Silvey	Wallingford	Wasson	Wieland—29			

NAYS—Senators

Curls	Keaveny	LeVota	Schupp	Walsh—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Nasheed moved that **SB 156**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 156**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 156

An Act to amend chapter 227, RSMo, by adding thereto three new sections relating to highway designation.

Was taken up.

Senator Nasheed moved that **HCS** for **SB 156**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Nasheed, **HCS** for **SB 156**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Nasheed, title to the bill was agreed to.

Senator Nasheed moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Riddle moved that **SCS** for **SB 341**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 341**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 341

An Act to repeal sections 210.003, 210.221, 210.861, 455.010, 455.020, 455.032, 455.040, 455.045, 455.050, 455.080, 455.503, 455.505, 455.513, 455.520, and 455.523, RSMo, section 455.085 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 455.085 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, section 455.538 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 455.538 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, and to enact in lieu thereof twenty-one new sections relating to the protection of vulnerable persons, with penalty provisions.

Was taken up.

Senator Riddle moved that **HCS** for **SCS** for **SB 341** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer

Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—33							

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Riddle, **HCS** for **SCS** for **SB 341**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—33							

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Cunningham, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 67**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 67

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 67, with House Amendment Nos. 2, 3, 4, and 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective

bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 67, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 67;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 67 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Cunningham

/s/ Jay Wasson

/s/ Mike Kehoe

Jamilah Nasheed

Jason Holsman

FOR THE HOUSE:

/s/ Shawn Rhoads

/s/ Travis Fitzwater

/s/ Galen Higdon

/s/ Kevin McManus

Brandon Ellington

Senator Cunningham moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Keaveny
Kehoe	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators

Emery	Hegeman	Kraus—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Cunningham, **CCS** for **HCS** for **SCS** for **SB 67**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 67

An Act to repeal sections 67.320, 476.083, 534.350, 534.360, 535.030, 535.110, and 535.160, RSMo, and to enact in lieu thereof ten new sections relating to courts.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Holsman	Keaveny
Kehoe	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators

Emery

Hegeman

Kraus—3

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 322**, entitled:

An Act to repeal section 208.010, RSMo, and to enact in lieu thereof two new sections relating to public assistance.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 322, Page 7, Section 208.065, Line 5, by deleting all of said line and inserting in lieu thereof the following:

“program; child care”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 328** with **HA 1, HA 2**.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 328, Page 1, In the Title, Lines 2 through 3, by deleting the words “youth suicide awareness and prevention education” and inserting in lieu thereof the words “mental health”; and

Further amend said bill and page, Section A, Line 2, by inserting immediately after said line the following:

“9.154. 1. August 28, 2015, and thereafter the date designated by the show-me compassionate medical education research project committee established in section 191.596, shall be designated as “Show-Me Compassionate Medical Education Day” in Missouri. The citizens of the state of Missouri are encouraged to participate in appropriate activities and events to increase awareness regarding

medical education, medical student well-being, and measures that have been shown to be effective, are currently being evaluated for effectiveness, and are being proposed for effectiveness in positively impacting medical student well-being and education.

2. The director of the department of mental health shall notify the revisor of statutes of the date selected by the show-me compassionate medical education research project committee for the show-me compassionate medical education day.”; and

Further amend said bill, Page 2, Section 170.048, Line 23, by inserting immediately after said line the following:

“191.594. 1. Sections 191.594 to 191.596 shall be known and may be cited as the “Show-Me Compassionate Medical Education Act”.

2. No medical school in this state shall prohibit, discourage, or otherwise restrict a medical student organization or medical organization from undertaking or conducting a study of the prevalence of depression and suicide or other mental health issues among medical students. No medical school in this state shall penalize, discipline, or otherwise take any adverse action against a student or a medical student organization in connection with such student's or medical student organization's participation in, planning, or conducting a study of the prevalence of depression and suicide or other mental health issues among medical students.

3. For purposes of this section, the following terms shall mean:

(1) “Medical organization” includes, but is not limited to, organizations such as the Missouri State Medical Association and the Missouri Association of Osteopathic Physicians and Surgeons;

(2) “Medical school”, any allopathic or osteopathic school of medicine in this state;

(3) “Medical student organization” includes, but is not limited to, organizations such as the American Medical Student Association, the Student Osteopathic Medical Association, and any medical student section of a medical organization.

191.596. 1. Medical schools in this state may, in collaboration with the Show-Me Compassionate Medical Education Research Project Committee, conduct a single center or multicenter study or studies, which, if conducted, shall be known as the “Show-Me Compassionate Medical Education Research Project”, in order to facilitate the collection of data and implement practices and protocols to minimize stress and reduce the risk of depression and suicide for medical students in this state.

2. There is hereby established the “Show-Me Compassionate Medical Education Research Project Committee”, which shall consist of representatives from each of the medical schools in this state and the director of the department of mental health, or the director's designee. The committee shall:

(1) Conduct an initial meeting on August 28, 2015, to organize, and meet as necessary thereafter to implement any research project conducted; and

(2) Set the date for the show-me compassionate medical education day designated under section 9.154. The date selected shall be for 2016 and every year thereafter.

3. Any single center or multicenter study undertaken by the committee or its member schools may include, but need not be limited to, the following:

(1) Development of study protocols designed to identify the root causes that contribute to the risk

of depression and suicide for medical students;

(2) Examine the culture and academic program of medical schools that may contribute to the risk of depression and suicide for medical students;

(3) Collection of any relevant additional data, including but not limited to consultation and collaboration with mental health professionals and mental health resources in the communities where medical schools are located;

(4) Collaboration between the medical schools in this state in order to share information, and to identify and make recommendations under subdivision (5) of this subsection; and

(5) Based on the data and findings under subdivisions (1) to (3) of this subsection:

(a) Identify the best practices to be implemented at each medical school designed to address the root causes and changes in medical school culture in order to minimize stress and reduce the risk of depression and suicide for medical students;

(b) Recommend any statutory or regulatory changes regarding licensure of medical professionals and recommend any changes to common practices associated with medical training or medical practice that the committee believes will accomplish the goals set out in this section.

4. The committee shall prepare an annual report which shall include any information under subdivision (5) of subsection 3 of this section and any measures reported by any medical school as a result of the findings under this section. The report shall be made available annually on each medical school's website and to the Missouri general assembly."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 328, Page 1, Section A, Line 2, by inserting immediately after said line and section the following:

"160.775. 1. Every district shall adopt an antibullying policy by September 1, 2007.

2. "Bullying" means intimidation or harassment that causes a reasonable student to fear for his or her physical safety or property; **substantially interferes with the educational performance, opportunities, or benefits of any student without exception; or substantially disrupts the orderly operation of the school.** Bullying may consist of **but is not limited to** physical actions, including gestures, or oral, cyberbullying, electronic, or written communication, and any threat of retaliation for reporting of such acts. **Bullying, by students, is prohibited on school property, at any school function, or on a school bus.** "Cyberbullying" is bullying as defined in this subsection through the transmission of a communication including, but not limited to, a message, text, sound, or image by means of an electronic device including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager.

3. Each district's antibullying policy shall be founded on the assumption that all students need a safe learning environment. Policies shall treat **all** students equally and shall not contain specific lists of protected classes of students who are to receive special treatment. Policies may include age-appropriate differences for schools based on the grade levels at the school. Each such policy shall contain a statement of the consequences of bullying.

4. Each district's antibullying policy shall **be included in the student handbook and shall require, at a minimum, the following components:**

(1) A statement prohibiting bullying, defined no less inclusively than in subsection 2 of this section;

(2) A statement requiring district employees to report any instance of bullying of which the employee has firsthand knowledge[. The district policy shall address training of employees in the requirements of the district policy.], **has reasonable cause to suspect that a student has been subject to bullying, or has received a report of bullying from a student. The policy shall require a district employee who witnesses an incident of bullying or has received reliable information that an incident of bullying has occurred to verbally report the incident to the district's designated individual at the school on the same day the employee witnessed or received the reliable information regarding the incident unless extenuating circumstances prohibit the employee from reporting until the next school day. The policy shall require such a district employee to report an incident of bullying in writing to the district's designated individual at the school within two school days. The policy shall require that the district maintain records of all incidents of bullying and their resolution. The policy shall also contain a description of the format that shall be used for a written report, which shall require, at a minimum, a listing of the offense and the outcome of any investigation;**

(3) A procedure for reporting an act of bullying. The policy shall also include a statement requiring that the district designate an individual at each school in the district to receive verbal reports and written reports of incidents of bullying. Such individual shall be a district employee who is a school principal, school administrator, or school supervisor;

(4) A procedure for prompt investigation of reports of violations and complaints, identifying one or more employees responsible for the investigation including, at a minimum, the following requirements:

(a) Within one school day of a written report of an incident of bullying being received, the school principal, or his or her designee, shall initiate an investigation of the incident;

(b) The school principal may appoint other school staff to assist with the investigation;

(c) The investigation shall be completed within ten school days from the date of the written report;

(5) The range of ways in which a school will respond once an incident of bullying is confirmed;

(6) A statement that prohibits reprisal or retaliation against any person who reports an act of bullying and the consequence and appropriate remedial action for a person who engages in reprisal or retaliation;

(7) A statement of how the policy is to be publicized; and

(8) A process for discussing the district's antibullying policy with students and training school employees and volunteers who have significant contact with students in the requirements of the policy, including at a minimum the following statements:

(a) The school district shall provide information and appropriate training to the school district staff who have significant contact with students regarding the policy;

(b) The school district shall give annual notice of the policy to students, parents or guardians, and staff;

(c) The school district shall provide education and information to students regarding bullying, including information regarding the school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying, including student peer-to-peer initiatives to provide accountability and policy enforcement for those found to have engaged in bullying, reprisal, or retaliation against any person who reports an act of bullying;

(d) The administration of the school district shall instruct its school counselors and school psychologists to educate students who are victims of bullying on techniques for students to overcome bullying's negative effects. Such techniques shall include but not be limited to cultivating the student's self-worth and self-esteem; teaching the student to defend himself or herself assertively and effectively; helping the student develop social skills; and encouraging the student to develop an internal locus of control. The provisions of this paragraph shall not be construed to contradict or limit any other provision of this section; and

(e) The administration of the school district shall implement programs and other initiatives to prevent bullying, to respond to such conduct in a manner that does not stigmatize the victim, and to make resources or referrals available to victims of bullying.

5. Notwithstanding any other provision of law, any school district may subject any student to discipline for cyberbullying. The district shall have jurisdiction to prohibit cyberbullying that originates on a school's campus if the electronic communication was made using the school's technological resources or the electronic communication was made on the school's campus using the student's own personal technological resources. The district shall have jurisdiction to prohibit cyberbullying that originates off the school's campus if:

(1) It was reasonably foreseeable that the electronic communication would reach the school's campus; or

(2) There is a sufficient nexus between the electronic communication and the school which includes, but is not limited to, speech that is directed at a school-specific audience, or the speech was brought onto or accessed on the school campus, even if it was not the student in question who did so.

6. In determining the appropriate disciplinary action for a cyberbullying offense under subsection 5 of this section, the district shall take into consideration the nature of the offense, the age of the student, and the following:

(1) For a first-time or minor cyberbullying offense, the district may mandate that the student attend counseling and education sessions;

(2) For a second or more serious cyberbullying offense, the district may prohibit the student from participating in school activities or events;

(3) For a serious incident of cyberbullying, the school may suspend or expel the student.

7. Each district shall annually review its antibullying policy and revise it as needed. The district's school board shall receive input from school personnel, students, and administrators when reviewing and revising the policy.

8. Each district shall develop a method to keep track of any correspondence between individuals and the district, or any school in the district, regarding an incident of bullying. Such correspondence shall be a closed record under chapter 610.

9. Each district shall annually report to the department of elementary and secondary education the number of confirmed reported bullying incidents in the district at the school level and the district level, and any action taken in response to an incident of bullying, including but not limited to expulsions and suspensions, for each school in the district. No district shall release any confidential information not authorized by state or federal law for public release. The department of elementary and secondary education shall post this information on its internet website within thirty days of receiving it but shall ensure that no personally identifiable information is posted.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SB 380**, entitled:

An Act to repeal sections 192.020, 192.667, and 301.142, RSMo, and to enact in lieu thereof four new sections relating to health care.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 8, 9, House Amendment No. 1 to House Amendment No. 11, House Amendment No. 11, as amended, House Amendment Nos. 12, 13 and 14.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 380, Page 9, Section 192.926, Line 47, by inserting after all of said section and line the following:

“197.130. 1. All hospitals licensed under this chapter shall require admission staff to provide written notice to each patient when the patient is admitted to the hospital under observational status:

- (1) During the intake process;**
- (2) At any time the patient’s status changes; and**
- (3) Upon discharge.**

Upon discharge the hospital admission staff shall provide written notice to the patient regarding the duration of the patient’s inpatient status, observational status, or both.

2. Each written notice shall include:

(1) A statement regarding whether the patient is being admitted to the hospital under inpatient status or observational status;

(2) A statement that observation status may affect the patient’s Medicare, MO HealthNet, or private insurance coverage for hospital services including medications and pharmaceutical supplies and for home- and community-based care or rehabilitative services at a skilled nursing facility if needed upon discharge from the hospital; and

(3) A recommendation that the patient contact his or her health insurance provider to better understand the implications of a patient’s placement in observation status.

3. The department of health and senior services shall promulgate rules to implement the provisions of this section and shall develop an acknowledgment form to meet the written notice

requirements of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 380, Page 1, Section A, Line 3, by inserting immediately after said line the following:

“191.1075. As used in sections 191.1075 to 191.1085, the following terms shall mean:

(1) “Department”, the department of health and senior services;

(2) “Health care professional”, a physician or other health care practitioner licensed, accredited, or certified by the state of Missouri to perform specified health services;

(3) “Hospital”:

(a) A place devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care of not less than twenty-four consecutive hours in any week of three or more nonrelated individuals suffering from illness, disease, injury, deformity, or other abnormal physical conditions; or

(b) A place devoted primarily to provide for not less than twenty-four consecutive hours in any week medical or nursing care for three or more unrelated individuals. “Hospital” does not include convalescent, nursing, shelter, or boarding homes as defined in chapter 198.

191.1080. 1. There is hereby created within the department of health and senior services the “Missouri Palliative Care and Quality of Life Interdisciplinary Council”, which shall be a palliative care consumer and professional information and education program to improve quality and delivery of patient-centered and family-focused care in this state.

2. On or before December 1, 2015, the following members shall be appointed to the council:

(1) Two members of the senate, appointed by the president pro tempore of the senate;

(2) Two members of the house of representatives, appointed by the speaker of the house of representatives;

(3) Two board-certified hospice and palliative medicine physicians licensed in this state, appointed by the governor with the advice and consent of the senate;

(4) Two certified hospice and palliative nurses licensed in this state, appointed by the governor with the advice and consent of the senate;

(5) A certified hospice and palliative social worker, appointed by the governor with the advice and consent of the senate;

(6) A patient and family caregiver advocate representative, appointed by the governor with the

advice and consent of the senate;

(7) A spiritual professional with experience in palliative care and health care, appointed by the governor with the advice and consent of the senate.

3. Council members shall serve for a term of three years. The members of the council shall elect a chair and vice chair whose duties shall be established by the council. The department shall determine a time and place for regular meetings of the council, which shall meet at least biannually.

4. Members of the council shall serve without compensation, but shall, subject to appropriations, be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the council.

5. The council shall consult with and advise the department on matters related to the establishment, maintenance, operation, and outcomes evaluation of palliative care initiatives in this state, including the palliative care consumer and professional information and education program established in section 191.1085.

6. The council shall submit an annual report to the general assembly which includes an assessment of the availability of palliative care in this state for patients at early stages of serious disease and an analysis of barriers to greater access to palliative care.

7. The council authorized under this section shall automatically expire August 28, 2021.

191.1085. 1. There is hereby established the “Palliative Care Consumer and Professional Information and Education Program” within the department of health and senior services.

2. The purpose of the program is to maximize the effectiveness of palliative care in this state by ensuring that comprehensive and accurate information and education about palliative care is available to the public, health care providers, and health care facilities.

3. The department shall publish on its website information and resources, including links to external resources, about palliative care for the public, health care providers, and health care facilities, including but not limited to:

(1) Continuing education opportunities for health care providers;

(2) Information about palliative care delivery in the home, primary, secondary, and tertiary environments; and

(3) Consumer educational materials and referral information for palliative care, including hospice.

4. Each hospital in this state is encouraged to have a palliative care presence on its intranet or internet website which provides links to one or more of the following organizations: the Institute of Medicine, the Center to Advance Palliative Care, the Supportive Care Coalition, the National Hospice and Palliative Care Organization, the American Academy of Hospice and Palliative Medicine, and the National Institute on Aging.

5. Each hospital in this state is encouraged to have patient education information about palliative care available for distribution to patients.

6. The department shall consult with the palliative care and quality of life interdisciplinary council

established in section 191.1080 in implementing the section.

7. The department may promulgate rules to implement the provisions of sections 191.1075 to 191.1085. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 191.1075 to 191.1085 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 191.1075 to 191.1085 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.

8. Notwithstanding the provisions of section 23.253 to the contrary, the program authorized under this section shall automatically expire on August 28, 2021.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 380, Page 9, Section 192.926, Line 47, by inserting after all of said section and line the following:

“195.070. 1. A physician, podiatrist, dentist, a registered optometrist certified to administer pharmaceutical agents as provided in section 336.220, or an assistant physician in accordance with section 334.037 or a physician assistant in accordance with section 334.747 in good faith and in the course of his or her professional practice only, may prescribe, administer, and dispense controlled substances or he or she may cause the same to be administered or dispensed by an individual as authorized by statute.

2. An advanced practice registered nurse, as defined in section 335.016, but not a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016, who holds a certificate of controlled substance prescriptive authority from the board of nursing under section 335.019 and who is delegated the authority to prescribe controlled substances under a collaborative practice arrangement under section 334.104 may prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, **and may have restricted authority in Schedule II. Prescriptions for Schedule II medications prescribed by an advanced practice registered nurse who has a certificate of controlled substance prescriptive authority are restricted to only those medications containing hydrocodone.** However, no such certified advanced practice registered nurse shall prescribe controlled substance for his or her own self or family. Schedule III narcotic controlled substance **and Schedule II - hydrocodone** prescriptions shall be limited to a one hundred twenty-hour supply without refill.

3. A veterinarian, in good faith and in the course of the veterinarian’s professional practice only, and not for use by a human being, may prescribe, administer, and dispense controlled substances and the veterinarian may cause them to be administered by an assistant or orderly under his or her direction and supervision.

4. A practitioner shall not accept any portion of a controlled substance unused by a patient, for any reason, if such practitioner did not originally dispense the drug.

5. An individual practitioner shall not prescribe or dispense a controlled substance for such practitioner’s personal use except in a medical emergency.”; and

Further amend said bill, Page 15, Section 301.142, Line 217, by inserting after all of said line the

following:

“334.037. 1. A physician may enter into collaborative practice arrangements with assistant physicians. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to an assistant physician the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the assistant physician and is consistent with that assistant physician’s skill, training, and competence and the skill and training of the collaborating physician.

2. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the assistant physician;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the assistant physician to prescribe;

(3) A requirement that there shall be posted at every office where the assistant physician is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an assistant physician and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the assistant physician;

(5) The manner of collaboration between the collaborating physician and the assistant physician, including how the collaborating physician and the assistant physician shall:

(a) Engage in collaborative practice consistent with each professional’s skill, training, education, and competence;

(b) Maintain geographic proximity; except, the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. Such exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics if the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics if the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician shall maintain documentation related to such requirement and present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the assistant physician’s controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the assistant physician to prescribe and documentation that it is consistent with each professional’s education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the assistant physician;

(8) The duration of the written practice agreement between the collaborating physician and the assistant physician;

(9) A description of the time and manner of the collaborating physician's review of the assistant physician's delivery of health care services. The description shall include provisions that the assistant physician shall submit a minimum of ten percent of the charts documenting the assistant physician's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the assistant physician prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

3. The state board of registration for the healing arts under section 334.125 shall promulgate rules regulating the use of collaborative practice arrangements for assistant physicians. Such rules shall specify:

(1) Geographic areas to be covered;

(2) The methods of treatment that may be covered by collaborative practice arrangements;

(3) In conjunction with deans of medical schools and primary care residency program directors in the state, the development and implementation of educational methods and programs undertaken during the collaborative practice service which shall facilitate the advancement of the assistant physician's medical knowledge and capabilities, and which may lead to credit toward a future residency program for programs that deem such documented educational achievements acceptable; and

(4) The requirements for review of services provided under collaborative practice arrangements, including delegating authority to prescribe controlled substances.

Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. The state board of registration for the healing arts shall promulgate rules applicable to assistant physicians that shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

4. The state board of registration for the healing arts shall not deny, revoke, suspend, or otherwise take disciplinary action against a collaborating physician for health care services delegated to an assistant physician provided the provisions of this section and the rules promulgated thereunder are satisfied.

5. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice arrangement, including collaborative practice arrangements delegating the authority to prescribe controlled substances, and also report to the board the name of each assistant physician with whom the physician has entered into such arrangement. The board may make such information available to the public. The board shall track the reported information and may routinely conduct random reviews of such arrangements to ensure that arrangements are carried out for compliance under this chapter.

6. A collaborating physician shall not enter into a collaborative practice arrangement with more than

three full-time equivalent assistant physicians. Such limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

7. The collaborating physician shall determine and document the completion of at least a one-month period of time during which the assistant physician shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. Such limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

8. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

9. No contract or other agreement shall require a physician to act as a collaborating physician for an assistant physician against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular assistant physician. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any assistant physician, but such requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff.

10. No contract or other agreement shall require any assistant physician to serve as a collaborating assistant physician for any collaborating physician against the assistant physician's will. An assistant physician shall have the right to refuse to collaborate, without penalty, with a particular physician.

11. All collaborating physicians and assistant physicians in collaborative practice arrangements shall wear identification badges while acting within the scope of their collaborative practice arrangement. The identification badges shall prominently display the licensure status of such collaborating physicians and assistant physicians.

12. (1) An assistant physician with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in Schedule III, IV, or V of section 195.017, **and may have restricted authority in Schedule II**, when delegated the authority to prescribe controlled substances in a collaborative practice arrangement. **Prescriptions for Schedule II medications prescribed by an assistant physician who has a certificate of controlled substance prescriptive authority are restricted to only those medications containing hydrocodone.** Such authority shall be filed with the state board of registration for the healing arts. The collaborating physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the assistant physician is permitted to prescribe. Any limitations shall be listed in the collaborative practice arrangement. Assistant physicians shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances **and Schedule II - hydrocodone prescriptions** shall be limited to a five-day supply without refill. Assistant physicians who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.

(2) The collaborating physician shall be responsible to determine and document the completion of at

least one hundred twenty hours in a four-month period by the assistant physician during which the assistant physician shall practice with the collaborating physician on-site prior to prescribing controlled substances when the collaborating physician is not on-site. Such limitation shall not apply to assistant physicians of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009.

(3) An assistant physician shall receive a certificate of controlled substance prescriptive authority from the state board of registration for the healing arts upon verification of licensure under section 334.036.

334.104. 1. A physician may enter into collaborative practice arrangements with registered professional nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse's skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice registered nurse as defined in subdivision (2) of section 335.016. Collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017, **and Schedule II - hydrocodone**; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in schedules III, IV, and V of section 195.017, **or Schedule II - hydrocodone** for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled substance **and Schedule II - hydrocodone** prescriptions shall be limited to a one hundred twenty-hour supply without refill. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services.

3. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the advanced practice registered nurse to prescribe;

(3) A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the advanced practice registered nurse;

(5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity, except the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. This exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics where the provider is a critical access hospital as provided in 42 U.S.C. 1395i-4, and provider-based rural health clinics where the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician is required to maintain documentation related to this requirement and to present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the nurse to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse;

(8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse;

(9) A description of the time and manner of the collaborating physician's review of the advanced practice registered nurse's delivery of health care services. The description shall include provisions that the advanced practice registered nurse shall submit a minimum of ten percent of the charts documenting the advanced practice registered nurse's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the advanced practice registered nurse prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036 may jointly promulgate rules regulating the use of collaborative practice arrangements. Such rules shall be limited to specifying geographic areas to be covered, the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements including delegating authority to prescribe controlled substances. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking

authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

6. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, including collaborative practice agreements delegating the authority to prescribe controlled substances, or physician assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

7. Notwithstanding any law to the contrary, a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed. Nothing in this subsection shall be construed to prohibit or prevent a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 from entering into a collaborative practice arrangement under this section, except that the collaborative practice arrangement may not delegate the authority to prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, **or Schedule II - hydrocodone**.

8. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent advanced practice registered nurses. This limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. This limitation shall not apply to collaborative arrangements of

providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

10. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

11. No contract or other agreement shall require a physician to act as a collaborating physician for an advanced practice registered nurse against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular advanced practice registered nurse. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any advanced practice registered nurse, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by hospital's medical staff.

12. No contract or other agreement shall require any advanced practice registered nurse to serve as a collaborating advanced practice registered nurse for any collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right to refuse to collaborate, without penalty, with a particular physician.

334.747. 1. A physician assistant with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in schedule III, IV, or V of section 195.017, **and may have restricted authority in Schedule II**, when delegated the authority to prescribe controlled substances in a supervision agreement. Such authority shall be listed on the supervision verification form on file with the state board of healing arts. The supervising physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the physician assistant is permitted to prescribe. Any limitations shall be listed on the supervision form. **Prescriptions for Schedule II medications prescribed by a physician assistant with authority to prescribe delegated in a supervision agreement are restricted to only those medications containing hydrocodone.** Physician assistants shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances **and Schedule II - hydrocodone prescriptions** shall be limited to a five-day supply without refill. Physician assistants who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.

2. The supervising physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the physician assistant during which the physician assistant shall practice with the supervising physician on-site prior to prescribing controlled substances when the supervising physician is not on-site. Such limitation shall not apply to physician assistants of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009.

3. A physician assistant shall receive a certificate of controlled substance prescriptive authority from the board of healing arts upon verification of the completion of the following educational requirements:

(1) Successful completion of an advanced pharmacology course that includes clinical training in the prescription of drugs, medicines, and therapeutic devices. A course or courses with advanced pharmacological content in a physician assistant program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) or its predecessor agency shall satisfy such

requirement;

(2) Completion of a minimum of three hundred clock hours of clinical training by the supervising physician in the prescription of drugs, medicines, and therapeutic devices;

(3) Completion of a minimum of one year of supervised clinical practice or supervised clinical rotations. One year of clinical rotations in a program accredited by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA) or its predecessor agency, which includes pharmacotherapeutics as a component of its clinical training, shall satisfy such requirement. Proof of such training shall serve to document experience in the prescribing of drugs, medicines, and therapeutic devices;

(4) A physician assistant previously licensed in a jurisdiction where physician assistants are authorized to prescribe controlled substances may obtain a state bureau of narcotics and dangerous drugs registration if a supervising physician can attest that the physician assistant has met the requirements of subdivisions (1) to (3) of this subsection and provides documentation of existing federal Drug Enforcement Agency registration.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 380, Page 1, Section 192.020, Line 13, by inserting after all of said line and section the following:

“192.500. 1. For purposes of this section, the following terms shall mean:

(1) “Cone beam computed tomography system”, a medical imaging device using x-ray computed tomography to capture data using a cone-shaped x-ray beam;

(2) “Panoramic x-ray system”, an imaging device that captures the entire mouth in a single, two-dimensional image including the teeth, upper and lower jaws, and surrounding structures and tissues.

2. Cone beam computed tomography systems and panoramic x-ray systems shall not be required to be inspected more frequently than every six years.

3. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first two years after August 28, 2015, unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 380, Page 15, Section 301.142, Line 217, by inserting immediately after said line the following:

“324.001. 1. For the purposes of this section, the following terms mean:

- (1) “Department”, the department of insurance, financial institutions and professional registration;
- (2) “Director”, the director of the division of professional registration; and
- (3) “Division”, the division of professional registration.

2. There is hereby established a “Division of Professional Registration” assigned to the department of insurance, financial institutions and professional registration as a type III transfer, headed by a director appointed by the governor with the advice and consent of the senate. All of the general provisions, definitions and powers enumerated in section 1 of the Omnibus State Reorganization Act of 1974 and Executive Order 06-04 shall apply to this department and its divisions, agencies, and personnel.

3. The director of the division of professional registration shall promulgate rules and regulations which designate for each board or commission assigned to the division the renewal date for licenses or certificates. After the initial establishment of renewal dates, no director of the division shall promulgate a rule or regulation which would change the renewal date for licenses or certificates if such change in renewal date would occur prior to the date on which the renewal date in effect at the time such new renewal date is specified next occurs. Each board or commission shall by rule or regulation establish licensing periods of one, two, or three years. Registration fees set by a board or commission shall be effective for the entire licensing period involved, and shall not be increased during any current licensing period. Persons who are required to pay their first registration fees shall be allowed to pay the pro rata share of such fees for the remainder of the period remaining at the time the fees are paid. Each board or commission shall provide the necessary forms for initial registration, and thereafter the director may prescribe standard forms for renewal of licenses and certificates. Each board or commission shall by rule and regulation require each applicant to provide the information which is required to keep the board’s records current. Each board or commission shall have the authority to collect and analyze information required to support workforce planning and policy development. Such information shall not be publicly disclosed so as to identify a specific health care provider, as defined in section 376.1350. Each board or commission shall issue the original license or certificate.

4. The division shall provide clerical and other staff services relating to the issuance and renewal of licenses for all the professional licensing and regulating boards and commissions assigned to the division. The division shall perform the financial management and clerical functions as they each relate to issuance and renewal of licenses and certificates. “Issuance and renewal of licenses and certificates” means the ministerial function of preparing and delivering licenses or certificates, and obtaining material and information for the board or commission in connection with the renewal thereof. It does not include any discretionary authority with regard to the original review of an applicant’s qualifications for licensure or certification, or the subsequent review of licensee’s or certificate holder’s qualifications, or any disciplinary action contemplated against the licensee or certificate holder. The division may develop and implement microfilming systems and automated or manual management information systems.

5. The director of the division shall maintain a system of accounting and budgeting, in cooperation with the director of the department, the office of administration, and the state auditor’s office, to ensure proper charges are made to the various boards for services rendered to them. The general assembly shall appropriate to the division and other state agencies from each board’s funds moneys sufficient to reimburse the division and other state agencies for all services rendered and all facilities and supplies furnished to that board.

6. For accounting purposes, the appropriation to the division and to the office of administration for the

payment of rent for quarters provided for the division shall be made from the “Professional Registration Fees Fund”, which is hereby created, and is to be used solely for the purpose defined in subsection 5 of this section. The fund shall consist of moneys deposited into it from each board’s fund. Each board shall contribute a prorated amount necessary to fund the division for services rendered and rent based upon the system of accounting and budgeting established by the director of the division as provided in subsection 5 of this section. Transfers of funds to the professional registration fees fund shall be made by each board on July first of each year; provided, however, that the director of the division may establish an alternative date or dates of transfers at the request of any board. Such transfers shall be made until they equal the prorated amount for services rendered and rent by the division. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue.

7. The director of the division shall be responsible for collecting and accounting for all moneys received by the division or its component agencies. Any money received by a board or commission shall be promptly given, identified by type and source, to the director. The director shall keep a record by board and state accounting system classification of the amount of revenue the director receives. The director shall promptly transmit all receipts to the department of revenue for deposit in the state treasury to the credit of the appropriate fund. The director shall provide each board with all relevant financial information in a timely fashion. Each board shall cooperate with the director by providing necessary information.

8. All educational transcripts, test scores, complaints, investigatory reports, and information pertaining to any person who is an applicant or licensee of any agency assigned to the division of professional registration by statute or by the department are confidential and may not be disclosed to the public or any member of the public, except with the written consent of the person whose records are involved. The agency which possesses the records or information shall disclose the records or information if the person whose records or information is involved has consented to the disclosure. Each agency is entitled to the attorney-client privilege and work-product privilege to the same extent as any other person. Provided, however, that any board may disclose confidential information without the consent of the person involved in the course of voluntary interstate exchange of information, or in the course of any litigation concerning that person, or pursuant to a lawful request, or to other administrative or law enforcement agencies acting within the scope of their statutory authority. Information regarding identity, including names and addresses, registration, and currency of the license of the persons possessing licenses to engage in a professional occupation and the names and addresses of applicants for such licenses is not confidential information.

9. Any deliberations conducted and votes taken in rendering a final decision after a hearing before an agency assigned to the division shall be closed to the parties and the public. Once a final decision is rendered, that decision shall be made available to the parties and the public.

10. A compelling governmental interest shall be deemed to exist for the purposes of section 536.025 for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the division of professional registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue.

11. (1) The following boards and commissions are assigned by specific type transfers to the division of professional registration: Missouri state board of accountancy, chapter 326; board of cosmetology and barber examiners, chapters 328 and 329; Missouri board for architects, professional engineers, professional land surveyors and landscape architects, chapter 327; Missouri state board of chiropractic examiners, chapter 331; state board of registration for the healing arts, chapter 334; Missouri dental board, chapter 332;

state board of embalmers and funeral directors, chapter 333; state board of optometry, chapter 336; Missouri state board of nursing, chapter 335; board of pharmacy, chapter 338; state board of podiatric medicine, chapter 330; Missouri real estate appraisers commission, chapter 339; and Missouri veterinary medical board, chapter 340. The governor shall appoint members of these boards by and with the advice and consent of the senate.

(2) The boards and commissions assigned to the division shall exercise all their respective statutory duties and powers, except those clerical and other staff services involving collecting and accounting for moneys and financial management relating to the issuance and renewal of licenses, which services shall be provided by the division, within the appropriation therefor. Nothing herein shall prohibit employment of professional examining or testing services from professional associations or others as required by the boards or commissions on contract. Nothing herein shall be construed to affect the power of a board or commission to expend its funds as appropriated. However, the division shall review the expense vouchers of each board. The results of such review shall be submitted to the board reviewed and to the house and senate appropriations committees annually.

(3) Notwithstanding any other provisions of law, the director of the division shall exercise only those management functions of the boards and commissions specifically provided in the Reorganization Act of 1974, and those relating to the allocation and assignment of space, personnel other than board personnel, and equipment.

(4) “Board personnel”, as used in this section or chapters 317, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, and 345, shall mean personnel whose functions and responsibilities are in areas not related to the clerical duties involving the issuance and renewal of licenses, to the collecting and accounting for moneys, or to financial management relating to issuance and renewal of licenses; specifically included are executive secretaries (or comparable positions), consultants, inspectors, investigators, counsel, and secretarial support staff for these positions; and such other positions as are established and authorized by statute for a particular board or commission. Boards and commissions may employ legal counsel, if authorized by law, and temporary personnel if the board is unable to meet its responsibilities with the employees authorized above. Any board or commission which hires temporary employees shall annually provide the division director and the appropriation committees of the general assembly with a complete list of all persons employed in the previous year, the length of their employment, the amount of their remuneration, and a description of their responsibilities.

(5) Board personnel for each board or commission shall be employed by and serve at the pleasure of the board or commission, shall be supervised as the board or commission designates, and shall have their duties and compensation prescribed by the board or commission, within appropriations for that purpose, except that compensation for board personnel shall not exceed that established for comparable positions as determined by the board or commission pursuant to the job and pay plan of the department of insurance, financial institutions and professional registration. Nothing herein shall be construed to permit salaries for any board personnel to be lowered except by board action.

12. All the powers, duties, and functions of the division of athletics, chapter 317, and others, are assigned by type I transfer to the division of professional registration.

13. Wherever the laws, rules, or regulations of this state make reference to the “division of professional registration of the department of economic development”, such references shall be deemed to refer to the division of professional registration.

14. (1) The state board of nursing, board of pharmacy, Missouri dental board, state committee of psychologists, or state board of registration for the healing arts may individually or collectively enter into a contractual agreement with the department of health and senior services, a public institution of higher education, or a nonprofit entity for the purpose of collecting and analyzing workforce data from its licensees, registrants, or permit holders for future workforce planning and to assess the accessibility and availability of qualified health care services and practitioners in Missouri. The boards shall work collaboratively with other state governmental entities to ensure coordination and avoid duplication of efforts.

(2) The boards may expend appropriated funds necessary for operational expenses of the program formed under this subsection. Each board is authorized to accept grants to fund the collection or analysis authorized in this subsection. Any such funds shall be deposited in the respective board's fund.

(3) Data collection shall be controlled and approved by the applicable state board conducting or requesting the collection. Notwithstanding the provisions of sections 324.010 and 334.001, the boards may release identifying data to the contractor to facilitate data analysis of the health care workforce including, but not limited to, geographic, demographic, and practice or professional characteristics of licensees. The state board shall not request or be authorized to collect income or other financial earnings data.

(4) Data collected under this subsection shall be deemed the property of the state board requesting the data. Data shall be maintained by the state board in accordance with chapter 610, provided any information deemed closed or confidential under subsection 8 of this section or any other provision of state law shall not be disclosed without consent of the applicable licensee or entity or as otherwise authorized by law. Data shall only be released in an aggregate form in a manner that cannot be used to identify a specific individual or entity.

(5) Contractors shall maintain the confidentiality of data received or collected under this subsection and shall not use, disclose, or release any data without approval of the applicable state board.

(6) Each board may promulgate rules subject to the provisions of this subsection and chapter 536 to effectuate and implement the workforce data collection and analysis authorized by this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 380, Page 15, Section 301.142, Line 217, by inserting after all of said section and line the following:

“376.685. 1. No agreement between a health carrier or other insurer that writes vision insurance

and an optometrist for the provision of vision services on a preferred or in-network basis to plan members or insurance subscribers in connection with coverage under a stand-alone vision plan, medical plan, health benefit plan, or health insurance policy shall require that an optometrist provide optometric or ophthalmic services or materials at a fee limited or set by the plan or health carrier unless the services or materials are reimbursed as covered services under the contract.

2. No provider shall charge more for services or materials that are not covered under a health benefit or vision plan than his or her usual and customary rate for those services or materials.

3. Reimbursement paid by the health benefit or vision plan for covered services or materials shall be reasonable and shall not provide nominal reimbursement in order to claim that services or materials are covered services. No health carrier shall provide de minimis reimbursement or coverage in an effort to avoid the requirements of this section.

4. No vision care insurance policy or vision care discount plan that provides covered services for materials shall have the effect, directly or indirectly, of limiting the choice of sources and suppliers of materials by a patient of a vision care provider.

5. For the purposes of this section, the following terms shall mean:

(1) “Covered services”, optometric or ophthalmic services or materials for which reimbursement from the health benefit or vision plan is provided for by an enrollee’s plan contract, or for which a reimbursement would be available but for the application of the enrollee’s contractual limitations of deductibles, co-payments, coinsurance, waiting periods, annual or lifetime maximums, alternative benefit payments, or frequency limitations;

(2) “Health benefit plan”, the same meaning as such term is defined in section 376.1350;

(3) “Health carrier”, the same meaning as such term is defined in section 376.1350;

(4) “Materials”, includes, but is not limited to, lenses, frames, devices containing lenses, prisms, lens treatment and coatings, contact lenses, orthoptics, vision training devices, and prosthetic devices to correct, relieve, or treat defects or abnormal conditions of the human eye or its adnexa;

(5) “Optometric services”, any services within the scope of optometric practice under chapter 336;

(6) “Vision plan”, any policy, contract of insurance, or discount plan issued by a health carrier, health benefit plan, or company which provides coverage or a discount for optometric or ophthalmic services or materials.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 380, Page 9, Section 192.926, Line 47, by inserting after all of said section and line the following:

“208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy persons as defined in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the

age of sixty-five years and over the age of twenty-one years; provided that the MO HealthNet division shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the MO HealthNet children's diagnosis length-of-stay schedule; and provided further that the MO HealthNet division shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the MO HealthNet division not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for participants, except to persons with more than five hundred thousand dollars equity in their home or except for persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. Section 301, et seq.), as amended, for nursing facilities. The MO HealthNet division may recognize through its payment methodology for nursing facilities those nursing facilities which serve a high volume of MO HealthNet patients. The MO HealthNet division when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the participant is on a temporary leave of absence from the hospital or nursing home, provided that no such participant shall be allowed a temporary leave of absence unless it is specifically provided for in his plan of care. As used in this subdivision, the term "temporary leave of absence" shall include all periods of time during which a participant is away from the hospital or nursing home overnight because he is visiting a friend or relative;

(6) Physicians' services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) Drugs and medicines when prescribed by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

(8) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

(9) Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to

ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and federal regulations promulgated thereunder;

(10) Home health care services;

(11) Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions unless such abortions are certified in writing by a physician to the MO HealthNet agency that, in the physician's professional judgment, the life of the mother would be endangered if the fetus were carried to term;

(12) Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. Section 1396d, et seq.);

(13) Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

(14) Personal care services which are medically oriented tasks having to do with a person's physical requirements, as opposed to housekeeping requirements, which enable a person to be treated by his or her physician on an outpatient rather than on an inpatient or residential basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the participant's family who is qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one participant one hundred percent of the average statewide charge for care and treatment in an intermediate care facility for a comparable period of time. Such services, when delivered in a residential care facility or assisted living facility licensed under chapter 198 shall be authorized on a tier level based on the services the resident requires and the frequency of the services. A resident of such facility who qualifies for assistance under section 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the fewest services. The rate paid to providers for each tier of service shall be set subject to appropriations. Subject to appropriations, each resident of such facility who qualifies for assistance under section 208.030 and meets the level of care required in this section shall, at a minimum, if prescribed by a physician, be authorized up to one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident's personal physician. Such authorized units of personal care services or tier level shall be transferred with such resident if he or she transfers to another such facility. Such provision shall terminate upon receipt of relevant waivers from the federal Department of Health and Human Services. If the Centers for Medicare and Medicaid Services determines that such provision does not comply with the state plan, this provision shall be null and void. The MO HealthNet division shall notify the revisor of statutes as to whether the relevant waivers are approved or a determination of noncompliance is made;

(15) Mental health services. The state plan for providing medical assistance under Title XIX of the

Social Security Act, 42 U.S.C. Section 301, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management. As used in this section, mental health professional and alcohol and drug abuse professional shall be defined by the department of mental health pursuant to duly promulgated rules. With respect to services established by this subdivision, the department of social services, MO HealthNet division, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the MO HealthNet division. The agreement shall establish a mechanism for the joint implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

(16) Such additional services as defined by the MO HealthNet division to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. Section 301, et seq.) subject to appropriation by the general assembly;

(17) The services of an advanced practice registered nurse with a collaborative practice agreement to the extent that such services are provided in accordance with chapters 334 and 335, and regulations promulgated thereunder;

(18) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection to reserve a bed for the participant in the nursing home during the time that the participant is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO HealthNet certified licensed beds, according to the most recent quarterly census provided to the department of health

and senior services which was taken prior to when the participant is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per hospital stay;

(c) For each day that nursing home costs are paid on behalf of a participant under this subdivision during any period of six consecutive months such participant shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the participant or the participant's responsible party that the participant intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the participant or the participant's responsible party prior to release of the reserved bed;

(19) Prescribed medically necessary durable medical equipment. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(20) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(21) Prescribed medically necessary dental services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(22) Prescribed medically necessary optometric services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(23) Blood clotting products-related services. For persons diagnosed with a bleeding disorder, as defined in section 338.400, reliant on blood clotting products, as defined in section 338.400, such services include:

(a) Home delivery of blood clotting products and ancillary infusion equipment and supplies, including the emergency deliveries of the product when medically necessary;

(b) Medically necessary ancillary infusion equipment and supplies required to administer the blood clotting products; and

(c) Assessments conducted in the participant's home by a pharmacist, nurse, or local home health care agency trained in bleeding disorders when deemed necessary by the participant's treating physician;

(24) The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the status of MO HealthNet provider reimbursement rates as compared to one hundred percent of the Medicare reimbursement rates and compared to the average dental reimbursement rates paid by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008, provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement rates and for third-party payor average dental reimbursement rates. Such plan shall be subject to appropriation and the division shall include in its annual budget request to the governor the necessary funding needed to complete the four-year plan developed under this subdivision.

2. Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Dental services;

(2) Services of podiatrists as defined in section 330.010;

(3) Optometric services as defined in section 336.010;

(4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;

(5) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The MO HealthNet division shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held

unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3. The MO HealthNet division may require any participant receiving MO HealthNet benefits to pay part of the charge or cost until July 1, 2008, and an additional payment after July 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered services except for those services covered under subdivisions (14) and (15) of subsection 1 of this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. Section 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, and a generic drug is substituted for a name-brand drug, the MO HealthNet division may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all participants the additional payment that may be required by the MO HealthNet division under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by participants under this section shall be in addition to and not in lieu of payments made by the state for goods or services described herein except the participant portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a participant is unable to pay a required payment. If it is the routine business practice of a provider to terminate future services to an individual with an unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give participants advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a participant. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the Missouri MO HealthNet state plan amendment submitted by the department of social services that would allow a provider to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

4. The MO HealthNet division shall have the right to collect medication samples from participants in order to maintain program integrity.

5. Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for MO HealthNet benefits at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. Section 1396a and federal regulations promulgated thereunder.

6. Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for MO HealthNet benefits under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification

and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. Section 1396a, as amended, and regulations promulgated thereunder.

9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the MO HealthNet program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. Section 1396a (a)(13)(C).

10. The MO HealthNet division, may enroll qualified residential care facilities and assisted living facilities, as defined in chapter 198, as MO HealthNet personal care providers.

11. Any income earned by individuals eligible for certified extended employment at a sheltered workshop under chapter 178 shall not be considered as income for purposes of determining eligibility under this section.

12. Subject to appropriations, providers of behavioral, social, and psychophysiological services for the prevention, treatment, or management of physical health problems shall be reimbursed utilizing the behavior assessment and intervention reimbursement codes 96150 to 96154 or their successor codes under the Current Procedural Terminology (CPT) coding system. Providers eligible for such reimbursement shall include psychologists.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 380, Page 15, Section 301.142, Line 217, by inserting immediately after said line the following:

“Section 1. No recommendation for a wage rate for any personal care attendant, as defined in section 208.900(6), shall be implemented unless there are specific annual appropriations made by the general assembly to fund such wage rate recommendations.”; and Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO

HOUSE AMENDMENT NO. 11

Amend House Amendment No. 11 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 380, Page 1, Line 30, by deleting the words **“and certifications”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 380, Page 9, Section 192.926, Line 47, by inserting immediately after said line the following:

“197.600. 1. For purposes of this section, the term “pain management clinic” shall mean a privately owned clinic, facility, or office in which health care providers provide chronic nonmalignant pain treatment through pharmacotherapy to a majority of its patients for ninety days or more in a twelve-month period or a privately owned clinic, facility, or office which advertises in any medium

for chronic pain management services through pharmacotherapy. Chronic nonmalignant pain treatment through pharmacotherapy shall not include, and shall not be construed to include, surgical or obstetrical anesthesia services, postoperative pain control, or interventional pain management procedures and techniques. For purposes of determining if a clinic, facility, or office qualifies as a pain management clinic under this section, the entire clinic, facility, or office caseload of patients who received health care services from all physicians, advanced practice registered nurses, physician assistants, and assistant physicians who serve in the clinic, facility, or office shall be counted.

2. No owner or employee of a pain management clinic shall have previously been denied or had a restricted license to prescribe, dispense, administer, supply, or sell a controlled substance or been subject to disciplinary action by any licensing entity for conduct that was a result of inappropriately prescribing, dispensing, administering, supplying, or selling a controlled substance.

3. No pain management clinic as defined in this section shall operate in the state unless it has been issued a pain management clinic certificate by the department of health and senior services after a determination that the clinic meets the requirements of this section and any other requirements the department may require by regulation. Any pain management clinic operating on the effective date of this section shall have ninety days to obtain a certificate from the department.

4. The department of health and senior services shall promulgate rules and regulations to implement the provisions of this section pertaining to the operation and licensure of pain management clinics. Such rules and regulations shall include, but not be limited to:

- (1) The certification process and any required fees;
- (2) Required hours of operation;
- (3) Required licenses and certifications of staff and staffing levels;
- (4) Record keeping and patient chart requirements;
- (5) A requirement to participate in any prescription drug monitoring program in Missouri.

Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend said bill, Page 15, Section 301.142, Line 217, by inserting immediately after said line the following:

“ Section 1. Certified music therapists who have completed the education and clinical training requirements established by the American Music Therapy Association and have passed the Certification Board for Music Therapists certification examination shall be deemed as licensed by the department of elementary and secondary education for the purposes of providing services to the first steps program under sections 160.900 to 160.925.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 380, Page 9, Section 192.926, Line 47, by inserting after all of said section and line the following:

“208.065. 1. No later than January 1, 2016, the department of social services shall procure and enter into a competitively bid contract with a contractor to provide verification of initial and ongoing eligibility data for assistance under the supplemental nutrition assistance program (SNAP); temporary assistance for needy families (TANF) program; child care assistance program; and MO HealthNet program. The contractor shall conduct data matches using the name, date of birth, address, Social Security number of each applicant and recipient, and additional data provided by the applicant or recipient relevant to eligibility against public records and other data sources to verify eligibility data.

2. The contractor shall evaluate the income, resources, and assets of each applicant and recipient no less than quarterly. In addition to quarterly eligibility data verification, the contractor shall identify on a monthly basis any program participants who have died, moved out of state, or have been incarcerated longer than ninety days.

3. The contractor, upon completing an eligibility data verification of an applicant or recipient, shall notify the department of the results, except that the contractor shall not verify the eligibility data of persons residing in long-term care facilities whose income and resources were at or below the applicable financial eligibility standards at the time of their last review. Within twenty business days of such notification, the department shall make an eligibility determination. The department shall retain final authority over eligibility determinations. The contractor shall keep a record of all eligibility data verifications communicated to the department.

4. Within thirty days of the end of each calendar year, the department and contractor shall file a joint report on a yearly basis to the governor, the speaker of the house of representatives, and the president pro tempore of the senate. The report shall include, but shall not be limited to, the number of applicants and recipients determined ineligible for assistance programs based on the eligibility data verification by the contractor and the stated reasons for the determination of ineligibility by the department.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 380, Page 9, Section 192.926, Line 47, by inserting after all of said section and line the following:

“208.670. 1. As used in this section, these terms shall have the following meaning:

(1) “Provider”, any provider of medical services and mental health services, including all other medical disciplines;

(2) “Telehealth”, the use of medical information exchanged from one site to another via electronic communications to improve the health status of a patient.

2. The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the practice of telehealth in the MO HealthNet program. Such rules shall address, but not be limited to, appropriate standards for the use of telehealth,

certification of agencies offering telehealth, and payment for services by providers. Telehealth providers shall be required to obtain patient consent before telehealth services are initiated and to ensure confidentiality of medical information.

3. Telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. Reimbursement for such services shall be made in the same way as reimbursement for in-person contacts.

4. The provisions of section 208.671 shall apply to the use of asynchronous store-and-forward technology in the practice of telehealth.

208.671. 1. As used in this section and section 208.673, the following terms shall mean:

(1) **“Asynchronous store-and-forward”, the transfer of a patient’s clinically important digital samples, such as still images, videos, audio, and text files, and relevant data from an originating site through the use of a camera or similar recording device that stores digital samples that are forwarded via telecommunication to a distant site for consultation by a consulting provider without requiring the simultaneous presence of the patient and the patient’s treating provider;**

(2) **“Asynchronous store-and-forward technology”, cameras or other recording devices that store images which may be forwarded via telecommunication devices at a later time;**

(3) **“Consultation”, a type of evaluation and management service as defined by the most recent edition of the Current Procedural Terminology published annually by the American Medical Association;**

(4) **“Consulting provider”, a provider who, upon referral by the treating provider, evaluates a patient and appropriate medical data or images delivered through asynchronous store-and-forward technology. If a consulting provider is unable to render an opinion due to insufficient information, the consulting provider may request additional information to facilitate the rendering of an opinion or decline to render an opinion;**

(5) **“Distant site”, a site where the consulting provider is located at the time the consultation service is provided;**

(6) **“Originating site”, the site where a MO HealthNet participant receiving services and such participant’s treating provider are both physically located;**

(7) **“Provider”, any provider of medical services, mental health services, or dental services, including all other medical disciplines, licensed in this state who has the authority to refer patients for medical services or mental health services within the scope of practice and licensure of the provider;**

(8) **“Telehealth”, the same meaning as such term is defined in section 208.670. Telehealth shall include the use of asynchronous store-and-forward technology for orthopedics, dermatology, ophthalmology in cases of diabetic retinopathy, burn and wound care, and maternal-fetal medicine ultrasounds;**

(9) **“Treating provider”, a provider who:**

(a) **Evaluates a patient;**

(b) **Determines the need for a consultation;**

- (c) Arranges the services of a consulting provider for the purpose of diagnosis and treatment;
- (d) Provides or supplements the patient's history and provides pertinent physical examination findings and medical information to the consulting provider; and
- (e) Is physically present in the same location as the patient during the time of the asynchronous store-and-forward services.

2. The department of social services, in consultation with the departments of mental health and health and senior services, shall promulgate rules governing the use of asynchronous store-and-forward technology in the practice of telehealth in the MO HealthNet program. Such rules shall address, but not be limited to:

(1) Appropriate standards for the use of asynchronous store-and-forward technology in the practice of telehealth;

(2) Certification of agencies offering asynchronous store-and-forward technology in the practice of telehealth;

(3) Time lines for completion and communication of a consulting provider's consultation or opinion, or if the consulting provider is unable to render an opinion, time lines for communicating a request for additional information or that the consulting provider declines to render an opinion;

(4) Length of time digital files of such asynchronous store-and-forward services are to be maintained;

(5) Security and privacy of such digital files;

(6) Patient consent for asynchronous store-and-forward services; and

(7) Payment for services by providers; except that, consulting providers who decline to render an opinion shall not receive payment under this section unless and until an opinion is rendered.

Telehealth providers using asynchronous store-and-forward technology shall be required to obtain patient consent before asynchronous store-and-forward services are initiated and to ensure confidentiality of medical information.

3. Asynchronous store-and-forward technology in the practice of telehealth may be utilized to service individuals who are qualified as MO HealthNet participants under Missouri law. The total payment for both the treating provider and the consulting provider shall not exceed the payment for a face-to-face consultation of the same level.

4. The standard of care for the use of asynchronous store-and-forward technology in the practice of telehealth shall be the same as the standard of care for face-to-face care.

208.673. 1. There is hereby established the "Telehealth Services Advisory Committee" to advise the department of social services and propose rules regarding the coverage of telehealth services utilizing asynchronous store-and-forward technology.

2. The committee shall be comprised of the following members:

(1) The director of the MO HealthNet division, or the director's designee;

(2) The medical director of the MO HealthNet division;

(3) A representative from a Missouri institution of higher education with expertise in telemedicine;

(4) A representative from the Missouri office of primary care and rural health;

(5) Two board-certified specialists licensed to practice medicine in this state;

(6) A representative from a hospital located in this state that utilizes telehealth medicine;

(7) A primary care provider from a federally qualified health center (FQHC) or rural health clinic; and

(8) A primary care provider from a rural setting other than from an FQHC or rural health clinic.

3. Members of the committee listed in subdivisions (3) to (8) of subsection 2 of this section shall be appointed by the governor, with the advice and consent of the senate. The first appointments to the committee shall consist of three members to serve three-year terms, two members to serve two-year terms, and two members to serve one-year terms as designated by the governor. Each member of the committee shall serve for a term of three years thereafter.

4. Members of the committee shall not receive any compensation for their services but shall be reimbursed for any actual and necessary expenses incurred in the performance of their duties.

5. Any member appointed by the governor may be removed from office by the governor without cause. If there is a vacancy for any cause, the governor shall make an appointment to become effective immediately for the unexpired term.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.

208.675. For purposes of the provision of telehealth services, the following individuals, licensed in Missouri, shall be considered eligible health care providers:

(1) Physicians, assistant physicians, and physician assistants;

(2) Advanced practice registered nurses;

(3) Dentists, oral surgeons, and dental hygienists under the supervision of a currently registered and licensed dentist;

(4) Psychologists and provisional licensees;

(5) Pharmacists;

(6) Speech, occupational, or physical therapists;

(7) Clinical social workers;

(8) Podiatrists;

(9) Licensed professional counselors; or

(10) Eligible health care providers under subdivisions (1) through (9) of this section practicing in a rural health clinic, federally qualified health center, or community mental health center.

208.677. 1. For purposes of the provision of telehealth services, the term “originating site” shall mean a telehealth site where the MO HealthNet participant receiving the telehealth service is located for the encounter, and the term “clinical staff” shall mean any health care provider licensed in this state. The originating site shall ensure immediate availability of clinical staff during a telehealth encounter if a participant requires assistance. No originating site for services or activities provided under section 208.686 shall be required to maintain immediate availability of on-site clinical staff during the telemonitoring services or activities. An originating site shall be one of the following locations:

- (1) Office of a physician or health care provider;**
- (2) Hospital;**
- (3) Critical access hospital;**
- (4) Rural health clinic;**
- (5) Federally qualified health center;**
- (6) Long-term care facility licensed under chapter 198;**
- (7) Dialysis center;**
- (8) Missouri state habilitation center or regional office;**
- (9) Community mental health center;**
- (10) Missouri state mental health facility;**
- (11) Missouri state facility;**

(12) Missouri residential treatment facility licensed by and under contract with the children’s division (CD) that has a contract with the CD. Facilities shall have multiple campuses and have the ability to adhere to technology requirements. Only Missouri licensed psychiatrists, licensed psychologists, or provisionally licensed psychologists, and advanced practice registered nurses who are enrolled MO HealthNet providers shall be consulting providers at these locations;

- (13) Comprehensive substance treatment and rehabilitation (CSTAR) program;**
- (14) School;**
- (15) The MO HealthNet recipient’s home; or**
- (16) Clinical designated area in a pharmacy.**

2. If the originating site is a school, the school shall obtain permission from the parent or guardian of any student receiving telehealth services prior to each provision of service.

208.686. 1. Subject to appropriations, the department shall establish a statewide program that permits reimbursement under the MO HealthNet program for home telemonitoring services. For the purposes of this section, “home telemonitoring service” shall mean a health care service that requires scheduled remote monitoring of data related to a patient’s health and transmission of the data to a Utilization Review Accreditation Commission (URAC) accredited health call center.

2. The program shall:

(1) Provide that home telemonitoring services are available only to persons who:

(a) Are diagnosed with one or more of the following conditions:

- a. Pregnancy;**
- b. Diabetes;**
- c. Heart disease;**
- d. Cancer;**
- e. Chronic obstructive pulmonary disease;**
- f. Hypertension;**
- g. Congestive heart failure;**
- h. Mental illness or serious emotional disturbance;**
- i. Asthma;**
- j. Myocardial infarction; or**
- k. Stroke; and**

(b) Exhibit two or more of the following risk factors:

- a. Two or more hospitalizations in the prior twelve-month period;**
- b. Frequent or recurrent emergency department admissions;**
- c. A documented history of poor adherence to ordered medication regimens;**
- d. A documented history of falls in the prior six-month period;**
- e. Limited or absent informal support systems;**
- f. Living alone or being home alone for extended periods of time; or**
- g. A documented history of care access challenges;**

(2) Ensure that clinical information gathered by a home health agency or hospital while providing home telemonitoring services is shared with the patient's physician; and

(3) Ensure that the program does not duplicate any disease management program services provided by MO HealthNet.

3. If, after implementation, the department determines that the program established under this section is not cost effective, the department may discontinue the program and stop providing reimbursement under the MO HealthNet program for home telemonitoring services.

4. The department shall determine whether the provision of home telemonitoring services to persons who are eligible to receive benefits under both the MO HealthNet and Medicare programs achieves cost savings for the Medicare program.

5. If, before implementing any provision of this section, the department determines that a waiver or authorization from a federal agency is necessary for implementation of that provision, the

department shall request the waiver or authorization and may delay implementing that provision until the waiver or authorization is granted.

6. The department shall promulgate rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 380, Page 9, Section 192.926, Line 47, by inserting after all of said section and line the following:

“208.909. 1. Consumers receiving personal care assistance services shall be responsible for:

(1) Supervising their personal care attendant;

(2) Verifying wages to be paid to the personal care attendant;

(3) Preparing and submitting time sheets, signed by both the consumer and personal care attendant, to the vendor on a biweekly basis;

(4) Allowing the personal care attendant to use his or her telephone for the purpose of electronic visit verification (EVV) if such use does not add cost to the consumer;

(5) Promptly notifying the department within ten days of any changes in circumstances affecting the personal care assistance services plan or in the consumer’s place of residence;

[(5)] (6) Reporting any problems resulting from the quality of services rendered by the personal care attendant to the vendor. If the consumer is unable to resolve any problems resulting from the quality of service rendered by the personal care attendant with the vendor, the consumer shall report the situation to the department; and

[(6)] (7) Providing the vendor with all necessary information to complete required paperwork for establishing the employer identification number.

2. Participating vendors shall be responsible for:

(1) Collecting time sheets or reviewing reports of delivered services and certifying the accuracy thereof;

(2) The Medicaid reimbursement process, including the filing of claims and reporting data to the department as required by rule;

(3) Transmitting the individual payment directly to the personal care attendant on behalf of the consumer;

(4) Monitoring the performance of the personal care assistance services plan.

3. No state or federal financial assistance shall be authorized or expended to pay for services provided

to a consumer under sections 208.900 to 208.927, if the primary benefit of the services is to the household unit, or is a household task that the members of the consumer's household may reasonably be expected to share or do for one another when they live in the same household, unless such service is above and beyond typical activities household members may reasonably provide for another household member without a disability.

4. No state or federal financial assistance shall be authorized or expended to pay for personal care assistance services provided by a personal care attendant who is listed on any of the background check lists in the family care safety registry under sections 210.900 to 210.937, unless a good cause waiver is first obtained from the department in accordance with section 192.2495.

5. (1) All vendors shall, by July 1, [2015] **2016**, have, maintain, and use [a telephone tracking] **an EVV** system for the purpose of reporting and verifying the delivery of consumer-directed services as authorized by the department of health and senior services or its designee. Use of such a system prior to July 1, [2015] **2016**, shall be voluntary. The [telephone tracking] **EVV** system shall be used [to process payroll for employees and] for submitting claims for reimbursement to the MO HealthNet division. At a minimum, the [telephone tracking] **EVV** system shall:

(a) Record the exact date services are delivered;

(b) Record the exact time the services begin and exact time the services end;

(c) Verify [the telephone number from which the services are registered] **that the services are being delivered at the location where the consumer resides;**

(d) [Verify that the number from which the call is placed is a telephone number unique to the client;

(e)] Require a personal identification number unique to each personal care attendant;

[f)] (e) Be capable of producing reports [of services delivered, tasks performed, client] **that at a minimum capture the consumer** identity, beginning and ending times of service and date of service in summary fashion that constitute adequate documentation of service[]; and

(g) Be capable of producing reimbursement requests for consumer approval that assures accuracy and compliance with program expectations for both the consumer and vendor.

(2) The department of health and senior services, in collaboration with other appropriate agencies, including centers for independent living, shall establish telephone tracking system pilot projects, implemented in two regions of the state, with one in an urban area and one in a rural area. Each pilot project shall meet the requirements of this section and section 208.918. The department of health and senior services shall, by December 31, 2013, submit a report to the governor and general assembly detailing the outcomes of these pilot projects. The report shall take into consideration the impact of a telephone tracking system on the quality of the services delivered to the consumer and the principles of self-directed care.

(3)] . (2) As new technology becomes available, the department [may] **shall** allow use of a more advanced tracking system, **electronic or otherwise**, provided that such system is at least as capable of meeting the requirements of this subsection.

[4)] (3) The department of health and senior services shall promulgate by rule the minimum necessary criteria of the [telephone tracking] **EVV** system. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.

This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

6. [In the event that a consensus between centers for independent living and representatives from the executive branch cannot be reached, the telephony report issued to the general assembly and governor shall include a minority report which shall detail those elements of substantial dissent from the main report.

7.] No interested party, including a center for independent living, shall be required to contract with any particular vendor or provider of [telephony] **EVV** services [nor bear the full cost of the pilot program].”; and

Further amend said bill, Page 15, Section 301.142, Line 217, by inserting after all of said section and line the following:

“660.023. 1. All in-home services provider agencies shall, by July 1, [2015] **2016**, have, maintain, and use [a telephone tracking] **an electronic visit verification (EVV)** system for the purpose of reporting and verifying the delivery of home- and community-based services as authorized by the department of health and senior services or its designee. Use of such system prior to July 1, [2015] **2016**, shall be voluntary. At a minimum, the [telephone tracking] **EVV** system shall:

(1) Record the exact date services are delivered;

(2) Record the exact time the services begin and exact time the services end;

(3) Verify [the telephone number from which the services were registered] **that services are being delivered at the location where the consumer resides;**

(4) [Verify that the number from which the call is placed is a telephone number unique to the client;

(5)] Require a personal identification number unique to each personal care attendant; and

[(6)] **(5)** Be capable of producing reports [of services delivered, tasks performed,] **that at a minimum capture** client identity, beginning and ending times of service and date of service in summary fashion that constitute adequate documentation of service.

2. The [telephone tracking] **EVV** system shall be used [to process payroll for employees and] for submitting claims for reimbursement to the MO HealthNet division.

3. The department of health and senior services shall promulgate by rule the minimum necessary criteria of the [telephone tracking] **EVV** system. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

4. As new technology becomes available, the department [may] **shall** allow use of a more advanced tracking system, **electronic or otherwise**, provided that such system is at least as capable of meeting the requirements listed in subsection 1 of this section.

5. The department of health and senior services, in collaboration with other appropriate agencies, including in-home services providers, shall establish telephone tracking system pilot projects, implemented in two regions of the state, with one in an urban area and one in a rural area. Each pilot project shall meet the requirements of this section. The department of health and senior services shall, by December 31, 2013, submit a report to the governor and general assembly detailing the outcomes of these pilot projects. The report shall take into consideration the impact of a telephone tracking system on the quality of the services delivered to the consumer and the principles of self-directed care.

6. In the event that a consensus between in-home service providers and representatives from the executive branch cannot be reached, the telephony report issued to the general assembly and governor shall include a minority report which will detail those elements of substantial dissent from the main report.

7. No interested party, including in-home service providers, shall be required to contract with any particular vendor or provider of [telephony] **EVV** services [nor bear the full cost of the pilot program].

Section B. Because immediate action is necessary to ensure that home-based MO HealthNet participants receive necessary personal care assistance services, section 208.909 and 660.023 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 208.909 and 660.023 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 174**, entitled:

An Act to repeal sections 70.210, 135.1150, and 135.1180, RSMo, and to enact in lieu thereof thirteen new sections relating to the Missouri Achieving a Better Life Experience program.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 174, Page 1, Section 70.210, Lines 1-10, by removing all of said section and lines from the bill; and

Further amend said bill, Pages 1-3, Section 135.1150, Lines 1-72, by removing all of said section and lines from the bill; and

Further amend said bill, Pages 3-5, Section 135.1180, Lines 1-75, by removing all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HB 403** and has taken up and passed **SCS** for **HB 403**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HB 41** and has taken up and passed **SCS** for **HB 41**.

PRIVILEGED MOTIONS

Senator Dempsey moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 322**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Sifton moved that **SB 164**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SB 164**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 164

An Act to repeal sections 375.534, 375.1070, 375.1072, 376.370, 376.380, 376.670, 456.950, and 513.430, RSMo, and to enact in lieu thereof twelve new sections relating to financial transactions.

Was taken up.

Senator Sifton moved that **HCS** for **SB 164** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Sifton, **HCS** for **SB 164** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—33							

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Sifton, title to the bill was agreed to.

Senator Sifton moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Schatz moved that the Senate refuse to concur in **HCS** for **SB 221**, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, and that the conferees be allowed to exceed the differences, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **SCS** for **HB 1070** and **HCS** for **HB 137**, begs leave to report that it has considered the same and recommends that the bills do pass.

HOUSE BILLS ON THIRD READING

HB 799, introduced by Representative Roeber, with **SCS**, entitled:

An Act to repeal section 478.463, RSMo, and to enact in lieu thereof one new section relating to the sixteenth judicial circuit.

Was taken up by Senator Dixon.

SCS for **HB 799**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 799

An Act to repeal sections 67.320, 476.083, 478.170, 478.191, 478.430, 478.433, 478.463, 478.740, 488.2206, and 600.042, RSMo, and to enact in lieu thereof fourteen new sections relating to judicial circuits.

Was taken up.

Senator Dixon moved that **SCS** for **HB 799** be adopted.

Senator Dixon offered **SS** for **SCS** for **HB 799**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 799

An Act to repeal sections 67.320, 476.083, 478.170, 478.191, 478.430, 478.433, 478.463, 478.740, 488.2206, and 600.042, RSMo, and to enact in lieu thereof fourteen new sections relating to judicial circuits.

Senator Dixon moved that the **SS** for **SCS** for **HB 799** be adopted.

Senator Dixon offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 799, Page 9, Section 488.2244, Line 25 of said page, by inserting after all of said line the following:

“5. The provisions of this section shall expire on August 28, 2025.”; and

Further amend said bill, Page 11, Section 488.2257, Line 7 of said page, by inserting after all of said line the following:

“3. The provisions of this section shall expire on August 28, 2025.”.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Wasson offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 799, Page 3, Section 67.320, Line 6 of said page, by inserting after all of said line the following:

“211.393. 1. For purposes of this section, the following words and phrases mean:

(1) **“County retirement plan”**, any public employees’ defined benefit retirement plan established by law that provides retirement benefits to county or city employees, but not to include the county employees’ retirement system as provided in sections 50.1000 to 50.1200;

(2) **“Juvenile court employee”**, any person who is employed by a juvenile court in a position normally requiring one thousand hours or more of service per year;

(3) **“Juvenile officer”**, any juvenile officer appointed pursuant to section 211.351;

(4) **“Multicounty circuit”**, all other judicial circuits not included in the definition of a single county circuit;

(5) **“Single county circuit”**, a judicial circuit composed of a single county of the first classification, including the circuit for the city of St. Louis;

(6) **“State retirement plan”**, the public employees’ retirement plan administered by the Missouri state employees’ retirement system pursuant to chapter 104.

2. Juvenile court employees employed in a single county circuit shall be subject to the following provisions:

(1) **The juvenile officer employed in such circuits on and prior to July 1, 1999, shall:**

(a) **Be state employees on that portion of their salary received from the state pursuant to section 211.381, and in addition be county employees on that portion of their salary provided by the county at a rate determined pursuant to section 50.640;**

(b) **Receive state-provided benefits, including retirement benefits from the state retirement plan, on that portion of their salary paid by the state and may participate as members in a county retirement plan on that portion of their salary provided by the county except any juvenile officer whose service as a juvenile court**

officer is being credited based on all salary received from any source in a county retirement plan on June 30, 1999, shall not be eligible to receive state-provided benefits, including retirement benefits, or any creditable prior service as described in this section but shall continue to participate in such county retirement plan;

(c) Receive creditable prior service in the state retirement plan for service rendered as a juvenile court employee prior to July 1, 1999, to the extent they have not already received credit for such service in a county retirement plan on salary paid to them for such service, if such service was rendered in a single county circuit or a multicounty circuit; except that if the juvenile officer forfeited such credit in such county retirement plan prior to being eligible to receive creditable prior service under this paragraph, they may receive service under this paragraph;

(d) Receive creditable prior service pursuant to paragraph (c) of this subdivision even though they already have received credit for such creditable service in a county retirement plan if they elect to forfeit their creditable service from such plan in which case such plan shall transfer to the state retirement plan an amount equal to the actuarial accrued liability for the forfeited creditable service, determined as if the person were going to continue to be an active member of the county retirement plan, less the amount of any refunds of member contributions;

(e) Receive creditable prior service for service rendered as a juvenile court employee in a multicounty circuit in a position that was financed in whole or in part by a public or private grant, pursuant to the provisions of paragraph (e) of subdivision (1) of subsection 3 of this section;

(2) Juvenile officers who begin employment for the first time as a juvenile officer in a single county circuit on or after July 1, 1999, shall:

(a) Be county employees and receive salary from the county at a rate determined pursuant to section 50.640 subject to reimbursement by the state as provided in section 211.381; and

(b) Participate as members in the applicable county retirement plan subject to reimbursement by the state for the retirement contribution due on that portion of salary reimbursed by the state;

(3) All other juvenile court employees who are employed in a single county circuit on or after July 1, 1999:

(a) Shall be county employees and receive a salary from the county at a rate determined pursuant to section 50.640; and

(b) Shall, in accordance with their status as county employees, receive other county-provided benefits including retirement benefits from the applicable county retirement plan if such employees otherwise meet the eligibility requirements for such benefits;

(4) (a) The state shall reimburse each county comprised of a single county circuit for an amount equal to the greater of:

a. Twenty-five percent of such circuit's total juvenile court personnel budget, excluding the salary for a juvenile officer, for calendar year 1997, and excluding all costs of retirement, health and other fringe benefits; or

b. The sum of the salaries of one chief deputy juvenile officer and one deputy juvenile officer class I, as provided in section 211.381;

(b) The state may reimburse a single county circuit up to fifty percent of such circuit's total calendar

year 1997 juvenile court personnel budget, subject to appropriations. The state may reimburse, subject to appropriations, the following percentages of such circuits' total juvenile court personnel budget, expended for calendar year 1997, excluding the salary for a juvenile officer, and excluding all costs of retirement, health and other fringe benefits: thirty percent beginning July 1, 2000, until June 30, 2001; forty percent beginning July 1, 2001, until June 30, 2002; fifty percent beginning July 1, 2002; however, no county shall receive any reimbursement from the state in an amount less than the greater of:

a. Twenty-five percent of the total juvenile court personnel budget of the single county circuit expended for calendar year 1997, excluding fringe benefits; or

b. The sum of the salaries of one chief deputy juvenile officer and one deputy juvenile officer class I, as provided in section 211.381;

(5) Each single county circuit shall file a copy of its initial 1997 and each succeeding year's budget with the office of the state courts administrator after January first each year and prior to reimbursement. The office of the state courts administrator shall make payment for the reimbursement from appropriations made for that purpose on or before July fifteenth of each year following the calendar year in which the expenses were made. The office of the state courts administrator shall submit the information from the budgets relating to full-time juvenile court personnel from each county to the general assembly;

(6) Any single county circuit may apply to the office of the state courts administrator to become subject to subsection 3 of this section, and such application shall be approved subject to appropriation of funds for that purpose;

(7) The state auditor may audit any single county circuit to verify compliance with the requirements of this section, including an audit of the 1997 budget.

3. Juvenile court employees in multicounty circuits shall be subject to the following provisions:

(1) Juvenile court employees including detention personnel hired in 1998 in those multicounty circuits who began actual construction on detention facilities in 1996, employed in a multicounty circuit on or after July 1, 1999, shall:

(a) Not be state employees unless they receive all salary from the state, which shall include any salary as provided in section 211.381 in addition to any salary provided by the applicable county or counties during calendar year 1997 and any general salary increase approved by the state of Missouri for fiscal year 1999 and fiscal year 2000;

(b) Participate in the state retirement plan;

(c) Receive creditable prior service in the state retirement plan for service rendered as a juvenile court employee prior to July 1, 1999, to the extent they have not already received credit for such service in a county retirement plan on salary paid to them for such service if such service was rendered in a single county circuit or a multicounty circuit, except that if they forfeited such credit in such county retirement plan prior to being eligible to receive creditable prior service under this paragraph, they may receive creditable service under this paragraph;

(d) Receive creditable prior service pursuant to paragraph (c) of this subdivision even though they already have received credit for such creditable service in a county retirement plan if they elect within six months from the date they become participants in the state retirement plan pursuant to this section to forfeit their service from such plan in which case such plan shall transfer to the state retirement plan an amount

equal to the actuarial accrued liability for the forfeited creditable service, determined as if the person was going to continue to be an active member of the county retirement plan, less the amount of any refunds of member contributions;

(e) Receive creditable prior service for service rendered as a juvenile court employee in a multicounty circuit in a position that was financed in whole or in part by a public or private grant to the extent they have not already received credit for such service in a county retirement plan on salary paid to them for such service except that if they:

a. Forfeited such credit in such county retirement plan prior to being eligible to receive creditable service under this paragraph, they may receive creditable service under paragraph (e) of this subdivision;

b. Received credit for such creditable service in a county retirement plan, they may not receive creditable prior service pursuant to paragraph (e) of this subdivision unless they elect to forfeit their service from such plan, in which case such plan shall transfer to the state retirement plan an amount equal to the actuarial liability for the forfeited creditable service, determined as if the person was going to continue to be an active member of the county retirement plan, less the amount of any refunds of member contributions;

c. Terminated employment prior to August 28, 2007, and apply to the board of trustees of the state retirement plan to be made and employed as a special consultant and be available to give opinions regarding retirement they may receive creditable service under paragraph (e) of this subdivision;

d. Retired prior to August 28, 2007, and apply to the board of trustees of the state retirement plan to be made and employed as a special consultant and be available to give opinions regarding retirement, they shall have their retirement benefits adjusted so they receive retirement benefits equal to the amount they would have received had their retirement benefit been initially calculated to include such creditable prior service; or

e. Purchased creditable prior service pursuant to section 104.344 or section 105.691 based on service as a juvenile court employee in a position that was financed in whole or in part by a public or private grant, they shall receive a refund based on the amount paid for such purchased service;

(2) Juvenile court employee positions added after December 31, 1997, shall be terminated and not subject to the provisions of subdivision (1) of this subsection, unless the office of the state courts administrator requests and receives an appropriation specifically for such positions;

(3) The salary of any juvenile court employee who becomes a state employee, effective July 1, 1999, shall be limited to the salary provided by the state of Missouri, which shall be set in accordance with guidelines established by the state pursuant to a salary survey conducted by the office of the state courts administrator, but such salary shall in no event be less than the amount specified in paragraph (a) of subdivision (1) of this subsection. Notwithstanding any provision to the contrary in subsection 1 of section 211.394, such employees shall not be entitled to additional compensation paid by a county as a public officer or employee. Such employees shall be considered employees of the judicial branch of state government for all purposes;

(4) All other employees of a multicounty circuit who are not juvenile court employees as defined in subsection 1 of this section shall be county employees subject to the county's own terms and conditions of employment;

(5) Any juvenile court employee in a single county circuit that changed from a multicounty circuit

on or after August 28, 2015, shall be a state employee, receive state-provided benefits, including retirement benefits from the state retirement plan, and not be subject to subsection 2 of this section.

4. The receipt of creditable prior service as described in paragraph (c) of subdivision (1) of subsection 2 of this section and paragraph (c) of subdivision (1) of subsection 3 of this section is contingent upon the office of the state courts administrator providing the state retirement plan information, in a form subject to verification and acceptable to the state retirement plan, indicating the dates of service and amount of monthly salary paid to each juvenile court employee for such creditable prior service.

5. No juvenile court employee employed by any single or multicounty circuit shall be eligible to participate in the county employees' retirement system fund pursuant to sections 50.1000 to 50.1200.

6. Each county in every circuit in which a juvenile court employee becomes a state employee shall maintain each year in the local juvenile court budget an amount, defined as "maintenance of effort funding", not less than the total amount budgeted for all employees of the juvenile court including any juvenile officer, deputy juvenile officer, or other juvenile court employees in calendar year 1997, minus the state reimbursements as described in this section received for the calendar year 1997 personnel costs for the salaries of all such juvenile court employees who become state employees. The juvenile court shall provide a proposed budget to the county commission each year. The budget shall contain a separate section specifying all funds to be expended in the juvenile court. Such funding may be used for contractual costs for detention services, guardians ad litem, transportation costs for those circuits without detention facilities to transport children to and from detention and hearings, short-term residential services, indebtedness for juvenile facilities, expanding existing detention facilities or services, continuation of services funded by public grants or subsidy, and enhancing the court's ability to provide prevention, probation, counseling and treatment services. The county commission may review such budget and may appeal the proposed budget to the judicial finance commission pursuant to section 50.640.

7. Any person who is employed on or after July 1, 1999, in a position covered by the state retirement plan or the transportation department and highway patrol retirement system and who has rendered service as a juvenile court employee in a judicial circuit that was not a single county of the first classification shall be eligible to receive creditable prior service in such plan or system as provided in subsections 2 and 3 of this section. For purposes of this subsection, the provisions of paragraphs (c) and (d) of subdivision (1) of subsection 2 of this section and paragraphs (c) and (d) of subdivision (1) of subsection 3 of this section that apply to the state retirement plan shall also apply to the transportation department and highway patrol retirement system.

8. (1) Any juvenile officer who is employed as a state employee in a multicounty circuit on or after July 1, 1999, shall not be eligible to participate in the state retirement plan as provided by this section unless such juvenile officer elects to:

(a) Receive retirement benefits from the state retirement plan based on all years of service as a juvenile officer and a final average salary which shall include salary paid by the county and the state; and

(b) Forfeit any county retirement benefits from any county retirement plan based on service rendered as a juvenile officer.

(2) Upon making the election described in this subsection, the county retirement plan shall transfer to the state retirement plan an amount equal to the actuarial accrued liability for the forfeited creditable service determined as if the person was going to continue to be an active member of the county retirement plan, less

the amount of any refunds of member contributions.

9. The elections described in this section shall be made on forms developed and made available by the state retirement plan.”; and

Further amend the title and enacting clause accordingly.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 799, Page 11, Section 488.2257, Line 7, by inserting after all of said line the following:

“488.2265. 1. In addition to all other court costs prescribed by law, a surcharge of up to ten dollars shall be assessed as costs in each court proceeding filed in any court in the state located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat in all civil and criminal cases including violations of any county or municipal ordinance or infractions, except that no such surcharge shall be collected for any violation of a traffic law or ordinance or in any proceeding when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. For violations of the criminal laws of the state or county ordinances, including infractions, no such surcharge shall be collected unless it is authorized by order, ordinance, or resolution by the county government where the violation occurred. For violations of municipal ordinances, no such surcharge shall be collected unless it is authorized by order, ordinance, or resolution by the municipal government where the violation occurred. Such surcharges shall be collected and disbursed by the clerk of each respective court responsible for collecting court costs in the manner provided by sections 488.010 to 488.020, and shall be payable to the treasurer of the political subdivision authorizing such surcharge.

2. Each county or municipality shall use all funds received pursuant to this section only to pay for the costs associated with the land assemblage and purchase, planning, and construction of a new facility, maintenance, and operation of any county or municipal judicial facility or justice center including, but not limited to, architectural, engineering, and other plans and studies, utilities, maintenance, and building security of any judicial facility. The county or municipality shall establish and maintain a separate account known as the “justice center fund” limited to the uses authorized by this section. The county or municipality shall maintain records identifying all surcharges and expenditures made from the justice center fund.”; and

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SS** for **SCS** for **HB 799**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SS** for **SCS** for **HB 799**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Keaveny	Kehoe
LeVota	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard

Riddle	Romine	Sater	Schaaf	Schatz	Schmitt	Schupp	Sifton
Wallingford	Walsh	Wasson	Wieland—28				

NAYS—Senators

Emery	Hegeman	Kraus	Schaefer—4
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Absent—Senator Holsman—1

Absent with leave—Senator Silvey—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HB 1070, introduced by Representative Davis, with **SCS**, entitled:

An Act to amend chapter 41, RSMo, by adding thereto one new section relating to the office of military advocate.

Was taken up by Senator Brown.

SCS for **HB 1070**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1070

An Act to amend chapter 41, RSMo, by adding thereto one new section relating to the office of military advocate.

Was taken up.

Senator Brown moved that **SCS** for **HB 1070** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **HB 1070** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senators Holsman—1

Absent with leave—Senator Silvey—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kehoe assumed the Chair.

HCS for HB 613, with **SCS**, entitled:

An Act to repeal sections 140.170, 140.310, 140.340, 140.350, 140.405, 140.410, and 140.420, RSMo, and to enact in lieu thereof eight new sections relating to the collection of delinquent real estate taxes.

Was taken up by Senator Parson.

SCS for HCS for HB 613, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 613

An Act to repeal sections 52.260, 65.620, 137.076, 140.170, 140.310, 140.340, 140.350, 140.405, 140.410, and 140.420, RSMo, and to enact in lieu thereof eleven new sections relating to the collection of property taxes, with an emergency clause for a certain section.

Was taken up.

Senator Parson moved that **SCS for HCS for HB 613** be adopted.

Senator Munzlinger offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 613, Page 11, Section 140.420, Line 13, by inserting after all of said line the following:

“231.444. 1. In addition to other levies authorized by law, the governing body of any county of the third **or fourth** classification [without a township form of government having a population of less than six thousand inhabitants according to the most recent decennial census] may by ordinance levy and impose a tax pursuant to this section which shall not exceed the rate of one dollar on each acre of real property in the county which is classified as agricultural and horticultural property pursuant to section 137.016.

2. The proceeds of the tax authorized pursuant to this section shall be collected by the county collector and remitted to the county treasurer who shall deposit such proceeds in a special fund to be known as the “Special Road Rock Fund”. All moneys in the special road rock fund shall be appropriated by the county governing body for the sole purpose of purchasing road rock to be placed on county roads within the boundaries of the county.

3. The ordinance levying and imposing a tax pursuant to subsection 1 of this section shall not be effective unless the county governing body submits to the qualified voters of the county a proposal to authorize the county governing body to levy and impose the tax at an election permitted pursuant to section 115.123. The ballot of submission proposing the tax shall be in substantially the following form:

Shall the county of (county's name) be authorized to levy and impose a tax on all real property in the county which is classified as agricultural or horticultural property at a rate not to exceed (rate

of tax) cents per acre with all the proceeds of the tax to be placed in the “Special Road Rock Fund” and used solely for the purpose of purchasing road rock to be placed on county roads within the boundaries of the county?

☐ YES

☐ NO

4. If a majority of the qualified voters of the county voting on the proposal vote “YES”, then the governing body of the county may by ordinance levy and impose the tax authorized by this section in an amount not to exceed the rate proposed in the ballot of submission. If a majority of the qualified voters of the county voting on the proposal vote “NO”, then the governing body of the county shall not levy and impose such tax. Nothing in this section shall prohibit a rejected proposal from being resubmitted to the qualified voters of the county at an election permitted pursuant to section 115.123.”; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 613, Page 2, Section 65.620, Line 32, by inserting after all of said line the following:

“137.018. 1. As used in this section, the term “merchandise” shall include short term rentals of equipment and other merchandise offered for short term rentals by rental companies under 532412 or 532210 of the 2012 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget, which will subsequently or ultimately sell such merchandise or equipment. As used in this section, the term “short term rental” shall mean rentals for a period of less than three hundred sixty-five consecutive days, for an undefined period, or under an open-ended contract.

2. For the purposes of article X, section 6 of the Constitution of Missouri, all merchandise held or owned by a merchant whether or not currently subject to a short term rental and which will subsequently or ultimately be sold shall be considered inventory and exempt from ad valorem taxes.”; and

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above amendment be adopted, which motion prevailed.

Senator Parson moved that **SCS** for **HCS** for **HB 613**, as amended, be adopted, which motion prevailed.

On motion of Senator Parson, **SCS** for **HCS** for **HB 613**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	LeVota	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schatz	Schmitt
Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators

Kraus	Schaefer—2
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Absent—Senator Chappelle-Nadal—1

Absent with leave—Senator Silvey—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senator Silvey—1

Vacancies—None

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Schmitt moved that **SS** for **SCS** for **SB 174**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SCS** for **SB 174**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 174

An Act to repeal sections 70.210, 135.1150, and 135.1180, RSMo, and to enact in lieu thereof thirteen new sections relating to the Missouri Achieving a Better Life Experience program.

Was taken up.

Senator Schmitt moved that **HCS** for **SS** for **SCS** for **SB 174**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senator Silvey—1

Vacancies—None

On motion of Senator Schmitt, **HCS** for **SS** for **SCS** for **SB 174**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Wasson	Wieland—32

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal Walsh—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HB 947** and has taken up and passed **SCS** for **HB 947**.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 35**, as amended. Representatives: Haefner, Barnes, Allen, LaFaver and Kirkton.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 10**.

On motion of Senator Richard, the Senate recessed until 8:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 210**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 221**, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS No. 2** for **HCS** for **HB 722** and has taken up and passed **SS No. 2** for **HCS** for **HB 722**.

PRIVILEGED MOTIONS

Senator Schmitt, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 5**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 5**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 5, with House Amendment Nos. 1, 2, and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 5, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 5;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 5 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Eric Schmitt

/s/ Kurt Schaefer

FOR THE HOUSE:

/s/ Paul Curtman

/s/ Robert Cornejo

/s/ Bob Dixon

/s/ Kevin Austin

/s/ Maria Chappelle-Nadal

/s/ Tommie Pierson

/s/ Jason Holsman

/s/ Gail McCann Beatty

Senator Schmitt moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wieland—31	

NAYS—Senators

Cunningham	Parson	Wasson—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Schmitt, **CCS** for **HCS** for **SS** for **SCS** for **SB 5**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 5

An Act to repeal section 302.341, RSMo, and to enact in lieu thereof twelve new sections relating to local government.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wieland—31	

NAYS—Senators

Cunningham	Parson	Wasson—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Wieland moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 380**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Governmental Accountability and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability and Fiscal Oversight, to which were referred **HB 675**; **SCS** for **HCS** for **HB 976**; **HCS** for **HB 714**; **SCS** for **HCS** for **HBs 578, 574 and 584**; **SCS** for **HCS** for **HB 796**; and **SCS** for **HB 529**, begs leave to report that it has considered the same and recommends that the bills do pass.

PRIVILEGED MOTIONS

Senator Wallingford, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 152**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 152

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 152, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 152, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 152;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 152 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Wayne Wallingford

/s/ Gary Romine

/s/ Doug Libla

Scott Sifton

/s/ Jason Holsman

FOR THE HOUSE:

/s/ Rocky Miller

/s/ Kevin Corlew

/s/ Tila Hubrecht

/s/ Clem Smith

/s/ Mary Nichols

Senator Wallingford moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh

Wasson Wieland—34

NAYS—Senator—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Wallingford, **CCS No. 2** for **HCS** for **SCS** for **SB 152**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 152

An Act to repeal sections 29.380, 260.200, 260.225, 260.250, 260.320, 260.325, 260.330, 260.335, and 260.345, RSMo, and to enact in lieu thereof eleven new sections relating to environmental protection.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Romine, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 445**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 445

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 445, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as

follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 445, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 445;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 445 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Gary Romine
 /s/ Mike Kehoe
 /s/ Wayne Wallingford
 /s/ Jill Schupp
 /s/ Jason Holsman

FOR THE HOUSE:

/s/ Rocky Miller
 /s/ Tim Remole
 /s/ Jack Bondon
 /s/ Clem Smith
 /s/ Mary Nichols

Senator Romine moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Pearce assumed the Chair.

Senator Kehoe assumed the Chair.

On motion of Senator Romine, **CCS** for **HCS** for **SCS** for **SB 445**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 445

An Act to repeal sections 29.380, 260.200, 260.225, 260.250, 260.320, 260.325, 260.330, 260.335, and 260.345, RSMo, and to enact in lieu thereof eleven new sections relating to environmental protection.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed

Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 254** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 254

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 254, with House Amendment Nos. 1, 2, 3, and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 254, as amended;
2. That the Senate recede from its position on Senate Bill No. 254;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 254 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus

/s/ Dan Brown

/s/ Bob Dixon

/s/ Jason Holsman

/s/ Jamilah Nasheed

FOR THE HOUSE:

/s/ Charlie Davis

/s/ Caleb Jones

/s/ Sue Allen

/s/ Pat Conway

/s/ Jeanne Kirkton

Senator Kraus moved that the above conference committee report be adopted.

At the request of Senator Kraus, the above motion was withdrawn.

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 13**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 13

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 13, with House Amendment Nos. 1, 2, 3, and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 13, as amended;
2. That the Senate recede from its position on Senate Bill No. 13;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 13 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ David Pearce
/s/ Bob Onder
/s/ Maria Chappelle-Nadal
/s/ Gina Walsh

FOR THE HOUSE:

/s/ Bryan Spencer
/s/ Donna Lichtenegger
/s/ Kathryn Swan
/s/ Tommie Pierson
/s/ Lauren Arthur

Senator Munzlinger moved that the above conference committee report be adopted.

At the request of Senator Munzlinger, the above motion was withdrawn.

Senator Kehoe assumed the Chair.

Senator Schupp moved that the Senate refuse to concur in **HA 1** and **HA 2** to **SCS** for **SB 328** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Kraus moved that **CCR No. 2** for **HCS** for **SB 254** be again taken up, which motion prevailed.

On motion of Senator Kraus, **CCR No. 2** for **HCS** for **SB 254** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senator Schaaf—1

Absent—Senator Sater—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kraus, **CCS No. 2** for **HCS** for **SB 254**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 254

An Act to repeal sections 301.130, 301.142, 301.196, 301.3097, 302.010, 302.525, 302.574, 478.007, 577.013, and 577.014, RSMo, section 302.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 302.304 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 302.309 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.001 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, section 577.010 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 577.012 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof seventeen new sections relating to motor vehicles, with an effective date for certain sections and penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Schaefer	Schatz
Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—32

NAYS—Senator Schaaf—1

Absent—Senator Sater—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

At the request of Senator Riddle, **HCS** for **HBs 578, 574** and **584**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Parson, **HB 529**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Wallingford, **HCS** for **HB 714** was placed on the Informal Calendar.

At the request of Senator Sater, **HCS** for **HB 796**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Sater, **HCS** for **HB 976**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Silvey, **HCS** for **HB 137** was placed on the Informal Calendar.

At the request of Senator Hegeman, **HB 1127**, with **SCS** was placed on the Informal Calendar.

HB 185 was placed on the Informal Calendar.

At the request of Senator Kehoe, **HB 494** was placed on the Informal Calendar.

HB 982 was placed on the Informal Calendar.

At the request of Senator Cunningham, **HB 64** was placed on the Informal Calendar.

At the request of Senator Kraus, **HB 341** was placed on the Informal Calendar.

At the request of Senator Dixon, **HCS** for **HB 734**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Romine, **HCS** for **HB 1019**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HB 1010** was placed on the Informal Calendar.

At the request of Senator Onder, **HB 276**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Dixon, **HCS** for **HB 635** was placed on the Informal Calendar.

At the request of Senator Libla, **HB 675** was placed on the Informal Calendar.

HB 210 was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

May 6, 2015

TO THE SECRETARY OF THE SENATE

98TH GENERAL ASSEMBLY

FIRST REGULAR SESSION

STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 19, entitled:

AN ACT

To repeal section 143.451, RSMo, and to enact in lieu thereof one new section relating to allocation of corporate income.

On May 6, 2015, I approved said Senate Committee Substitute for Senate Bill No. 19.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 1056, regarding Josh Boehm, which was adopted.

Senators Wieland and Romine offered Senate Resolution No. 1057, regarding Thomas Michael Surdyke, Festus, which was adopted.

Senator LeVota offered Senate Resolution No. 1058, regarding Jonathan B. Hambacker, which was adopted.

Senator LeVota offered Senate Resolution No. 1059, regarding Dan Mika, which was adopted.

Senator Schmitt offered Senate Resolution No. 1060, regarding The Magic House, St. Louis Children's Museum, which was adopted.

Senator Brown offered Senate Resolution No. 1061, regarding Walmart, St. James, which was adopted.

Senator Brown offered Senate Resolution No. 1062, regarding V.E. Falkenhain and Associates, Rolla, which was adopted.

Senator Walsh offered Senate Resolution No. 1063, regarding Richard Hugh "Dick" Kellett, Florissant, which was adopted.

Senator Brown offered Senate Resolution No. 1064, regarding Courtney Walker, which was adopted.

Senator Romine offered Senate Resolution No. 1065, regarding Cheryle A. Roussin, Festus, which was adopted.

Senator Romine offered Senate Resolution No. 1066, regarding Betty J. Kasten, Bloomsdale, which was adopted.

Senator Sifton offered Senate Resolution No. 1067, regarding Eliza Heerboth, Webster Groves, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, Amy Parris and her daughter, Kate, and fourth grade students from Columbia Catholic School.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-FIFTH DAY—THURSDAY, MAY 7, 2015

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)

SCS for SB 56-Munzlinger
(In Fiscal Oversight)

SS for SB 201-Dixon (In Fiscal Oversight)
SB 203-Dixon (In Fiscal Oversight)

SB 352-Schaefer (In Fiscal Oversight)
SS for SB 540-Libla (In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

1. HCS for HB 882-McGaugh, with SCS
(Munzlinger) (In Fiscal Oversight)
2. HB 279-Cornejo, with SCS (Schmitt)
(In Fiscal Oversight)
3. HB 100-Gosen, with SCS (Parson)
(In Fiscal Oversight)
4. HCS for HB 807, with SCS (Dixon)
(In Fiscal Oversight)
5. HB 254-Crawford, with SCS (Parson)
(In Fiscal Oversight)
6. HCS for HB 811, with SCS (Riddle)
(In Fiscal Oversight)

7. HB 32-Hoskins (Pearce)
(In Fiscal Oversight)
8. HB 218-Wilson, with SCS (Dixon)
(In Fiscal Oversight)
9. HCS for HB 117 (Dixon)
(In Fiscal Oversight)
10. HB 101-Redmon (Libla)
(In Fiscal Oversight)
11. HB 1305-Rowden (In Fiscal Oversight)
12. HCS for HB 1002, with SCS (Kehoe)
(In Fiscal Oversight)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

SB 17-Dixon
SB 37-Romine, with SCS & SA 1 (pending)
SB 44-Nasheed, with SCS, SS for SCS &
SA 1 (pending)
SB 46-Holsman
SB 53-Schaaf, with SS#2 (pending)
SB 55-Munzlinger
SB 59-Dixon

SB 69-LeVota, with SCS
SB 80-Dixon, with SCS
SB 91-Dixon, with SCS
SBs 112, 212, 143 & 234-Dixon, with SCS
SB 117-Brown, with SCS
SB 127-Brown, with SCS
SB 130-Walsh and Schupp, with SCS
SB 151-Sater

SB 159-Parson	SB 372-Keaveny, with SCS (pending)
SB 167-Schaaf, with SCS	SB 374-Schatz, with SCS
SB 177-Munzlinger, with SCS	SB 399-Onder
SB 220-Kehoe	SB 400-Onder, with SS (pending)
SB 225-Romine, with SCS	SB 409-Wallingford, with SCS
SB 227-Emery, with SS (pending)	SB 420-Schmitt
SB 232-Kehoe, with SCS (pending)	SB 424-Pearce, with SA 1 (pending)
SB 233-Kehoe, with SCS & SA 2 (pending)	SB 427-Sifton, with SCS
SB 266-Schaefer, with SCS	SB 432-Onder, with SCS
SB 267-Schaefer, with SCS	SB 442-Schaefer
SB 268-Pearce, with SCS	SBs 451, 307, 100 & 165-Dixon, with SCS
SB 286-Schaaf and Silvey	SB 452-Schmitt, et al, with SA 1 & point of order (pending)
SB 299-Pearce	SB 455-Kehoe
SB 302-Riddle, with SCS (pending)	SB 469-Munzlinger
SB 304-Keaveny, with SCS	SB 471-Schaaf
SB 305-Onder	SB 481-Onder, with SCS
SB 313-Wallingford, with SCS	SB 520-Kehoe, with SCS
SBs 331 & 21-Libla, with SCS & SS for SCS (pending)	SB 528-Sater
SB 339-Munzlinger, with SS (pending)	SB 567-Chappelle-Nadal, et al
SB 358-Kehoe	SJR 7-Richard and Wallingford
SB 360-Parson, with SCS	SJR 12-Onder, with SCS (pending)
SB 371-Munzlinger	

HOUSE BILLS ON THIRD READING

HCS for HB 33, with SCS (Parson)	HB 210-Conway (104)
HB 64-Dugger (Cunningham)	HB 233-Franklin, with SCS (Parson)
HCS for HB 104 (Schaefer)	HB 271-Hoskins (Dixon)
HB 108-McCaherty (Dixon)	HB 276-Cornejo, with SCS (Onder)
HCS for HB 112 (Wasson)	HCS for HB 299, with SCS (Kraus)
HCS for HB 119 (Wallingford)	HB 336-McGaugh (Kraus)
HCS for HB 137 (Silvey)	HB 341-Dugger (Kraus)
HB 185-Love	HB 401-Fraker, with SCS (Sater)
HB 190-Swan (Wallingford)	HB 440-Koenig (Kraus)

HCS for HB 478-Fitzwater (Wallingford)
HB 494-Leara (Kehoe)
HB 502-Kelley, with SCS (Kraus)
HB 523-Burlison, with SCS (Brown)
HB 529-Gosen, with SCS (Parson)
HB 533-Dugger, with SCS (Wasson)
HCS for HB 538, with SCS (Brown)
(In Fiscal Oversight)
HB 562-Davis (Wasson)
HCS for HBs 578, 574 & 584, with SCS
(Riddle)
HB 589-Hough, with SCS (Onder)
HCS for HB 592 (Wasson)
HCS for HB 635 (Dixon)
HB 675-Rowden (Libla)
HB 684-Koenig (Dixon)
HCS for HB 692, with SCS (Munzlinger)
HCS for HB 714 (Wallingford)
HCS for HB 734, with SCS (Dixon)

HCS for HB 777 (Kraus)
HCS for HB 796, with SCS (Sater)
HB 808-Cornejo, with SCS (Hegeman)
HCS for HB 830, with SCS (Munzlinger)
HB 836-Ross (Libla)
HCS for HB 864 (Kehoe)
HB 923-Miller, with SCS (Kehoe)
HCS for HB 926 (Cunningham)
HCS for HB 976, with SCS (Riddle)
HB 982-Rowden (Pearce)
HB 1010-Brown (57) (Munzlinger)
HCS for HB 1019, with SCS (Romine)
HCS for HB 1058, with SCS (Brown)
HCS for HB 1063 (Dixon)
HCS for HB 1084 (Romine)
HB 1093-Houghton (Riddle)
HB 1127-Johnson, with SCS (Hegeman)
HJR 1-Dugger (Kraus)
HCS for HJR 34, with SCS (Schmitt)

**BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES**

In Conference

SS for SCS for SB 5-Schmitt, with HCS,
as amended (Senate adopted CCR and passed
CCS)
SS#2 for SCS for SB 11-Richard, with HA 1,
HA 2, as amended, HA 3, as amended &
HA 4
SB 13-Munzlinger, with HCS, as amended
(CCR Offered)
SB 35-Wallingford, with HCS, as amended
SS for SCS for SB 67-Cunningham, with
HCS, as amended (Senate adopted CCR
and passed CCS)

SB 104-Kraus, with HCS, as amended
(Senate adopted CCR#2 and passed
CCS#2)
SS for SCS for SB 115-Kraus, with HCS,
as amended
SCS for SB 152-Wallingford, with HCS, as
amended (Senate adopted CCR#2 and passed
CCS#2)
SCS for SB 172-Romine, with HCS, as
amended
SCS for SB 210-Schaefer, with HCS, as
amended

SB 221-Schatz, with HCS
 SB 254-Kraus, with HCS, as amended (Senate adopted CCR#2 and passed CCS#2)
 SCS for SB 270-Nasheed, with HCS, as amended
 SS for SCS for SB 278-Schatz, with HCS, as amended
 SB 282-Parson, with HCS, as amended
 SB 283-Kehoe, with HCS, as amended
 SCS for SB 300-Silvey, with HCS, as amended
 SCS for SB 445-Romine, with HCS, as amended (Senate adopted CCR and passed CCS)

SB 446-Schupp and Brown, with HA 1 & HA 2, as amended
 SCS for SB 473-Schaaf, with HCS, as amended
 HB 152-Haahr, with SCS, as amended (Onder)
 HB 458-Allen, with SS for SCS, as amended (Schmitt)
 HB 615-Dohrman, with SCS (Schatz)

Requests to Recede or Grant Conference

SCS for SB 322-Dempsey, with HCS, as amended (Senate requests House recede or grant conference)
 SCS for SB 328-Schupp, with HA 1 & HA 2 (Senate requests House recede or grant conference)

SCS for SB 380-Wieland, with HCS, as amended (Senate requests House recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 39-Dixon and Holsman
 SCR 40-Romine
 HCR 18-McCann (Curls)

HCR 26-Shull (Brown)
 HCS for HCR 32 (Romine)
 HCR 34-Rowland (Cunningham)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-FIFTH DAY—THURSDAY, MAY 7, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Meekness is the greatest of virtues.” (Talmud 20b)

Heavenly Father, we know that meekness is the quiet strength that comes from commitment to You and what is important in our lives and the values we hold. It is important then that we truly are meek in ourselves so that the way we live and handle the various stresses we encounter comes from this core belief. Help us Lord God to make this happen. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The Journal of the previous day was read and approved.

Senator Richard requested unanimous consent of the Senate to correct the Senate Journal for Tuesday, May 5, 2015, Page 1480, by deleting lines 26-29.

Also,

Page 1483, Line 9, by deleting “Wasson”, and inserting in lieu thereof “Parson”;

Line 22, by deleting “Wasson”, and inserting in lieu thereof “Parson”;

Line 23, by deleting “Wasson”, and inserting in lieu thereof “Parson”.

Also,

Page 1508, Lines 22-23, by deleting said lines and inserting in lieu thereof:

“be adopted.

Senator Libla offered **SS** for **SCS** for **HBs 522, 34, 133, 134, 810, 338 and 873**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 522,
HOUSE BILL NO. 34,
HOUSE BILL NO. 133,
HOUSE BILL NO. 134,
HOUSE BILL NO. 810,
HOUSE BILL NO. 338
AND
HOUSE BILL NO. 873

An Act to repeal section 227.297, RSMo, and to enact in lieu thereof ten new sections relating to bridge and highway designations.

Senator Libla moved that **SS** for **SCS** for **HB 522, HB 34, HB 133, HB 134, HB 810, HB 338 & HB 873** be adopted, which motion prevailed.

On motion of Senator Libla, **SS** for **SCS** for **HB 522, HB 34, HB 133, HB 134, HB 810, HB 338 & HB 873**".

Which request was granted.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 1068, regarding Jim Hamilton, which was adopted.

Senator Parson offered Senate Resolution No. 1069, regarding David S. Derks, Warsaw, which was adopted.

Senator Kehoe offered Senate Resolution No. 1070, regarding Merrell University of Beauty Arts and Science, which was adopted.

Senator Kehoe offered Senate Resolution No. 1071, regarding Joe Herx, Jefferson City, which was adopted.

Senator Wasson offered Senate Resolution No. 1072, regarding Sucker Day 2015, Nixa, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Deborah Curtis, Independent, as a member of the Missouri Charter Public School Commission;

Also,

Christopher W. Hughes, as a member of the Sentencing and Corrections Oversight Commission; and

John B. Heskett, as a member of the Children's Trust Fund Board.

Senator Dempsey requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Dempsey moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 675, introduced by Representative Rowden, entitled:

An Act to repeal section 304.190, RSMo, and to enact in lieu thereof one new section relating to municipal commercial zones.

Was called from the Informal Calendar and taken up by Senator Libla.

Senator Libla offered **SS** for **HB 675**, entitled:

SENATE SUBSTITUTE FOR HOUSE BILL NO. 675

An Act to repeal section 304.190, RSMo, and section 142.803 as enacted by house bill no. 2141, ninety-seventh general assembly, second regular session, and to enact in lieu thereof two new sections relating to transportation.

Senator Libla moved that **SS** for **HB 675** be adopted.

Senator Schaaf raised the point of order that **SS** for **HB 675** is out of order in that it goes beyond the scope and purpose of the original bill. The point of order was referred to the President Pro Tem who took it under advisement, which placed **HB 675**, with **SS** and the point of order (pending), back on the Informal Calendar.

HCS for **HB 137**, entitled:

An Act to repeal sections 34.040 and 136.055, RSMo, and to enact in lieu thereof two new sections relating to competitive bidding, with an emergency clause.

Was called from the Informal Calendar and taken up by Senator Silvey.

Senator Silvey offered **SS** for **HCS** for **HB 137**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 137

An Act to repeal sections 34.040 and 136.055, RSMo, and to enact in lieu thereof two new sections relating to competitive bidding, with an emergency clause.

Senator Silvey moved that **SS** for **HCS** for **HB 137** be adopted.

Senator Schmitt offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 137, Page 4, Section 34.040, Line 18 of said page, by inserting after all of said line the following:

“67.617. 1. Each regional convention and visitors commission shall, before the second Monday in October, make an annual report to the chief executive officers and governing bodies of the city and county, respectively, and to the general assembly stating the condition of the commission on the first day of July of that year, and the various sums of money received and distributed by it during the preceding calendar year. The fiscal year for each regional convention and visitors commission shall begin on the first day of July and end on the thirtieth day of June of the following calendar year.

2. Before the close of the first fiscal year of such commission, and at the close of every third fiscal year thereafter, the chief executives of the city and county, jointly, shall appoint one or more certified public accountants, who shall annually examine the books, accounts, and vouchers of the regional convention and visitors commission, and who shall make due report thereof to the chief executives and the board of the district. The commission shall produce and submit to the accountants for examination all books, papers, documents, vouchers, and accounts of their office belonging or pertaining to the office, and shall in every way assist the accountants in their work. In the report to be made by the accountants they may make any recommendation they deem proper as to the business methods of the officers and employees. A reasonable compensation for the services of the accountants shall be paid by the commission.

3. In addition to the exceptions available under sections 610.010 to 610.225, the leases, agreements, contracts, or subleases, and any amendments thereto, for space, usage, or services in any convention center or related facilities owned or operated by a regional convention and visitors commission, or any drafts or unexecuted versions of such documents, shall not be considered public records within the meaning of subdivision (6) of section 610.010, when, in the reasonable judgment of the commission, the disclosure of the information in the records may endanger the competitiveness of the business or prospects of the commission or provide an unfair advantage to its competitors; provided, however, that the foregoing may not be deemed to include any leases, agreements, contracts, or subleases involving a professional sports franchise.”; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Dixon assumed the Chair.

Senator Holsman offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 137, Page 6, Section 136.055, Line 1, by inserting after the word “districts.” the following:

“Any fee office contract awarded to a municipality under this subsection shall be for a period of no less than eight years.”.

Senator Holsman moved that the above amendment be adopted, which motion failed.

Senator Silvey moved that **SS** for **HCS** for **HB 137**, as amended, be adopted, which motion prevailed.

On motion of Senator Silvey, **SS** for **HCS** for **HB 137**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

NAYS—Senators—None

Absent—Senator Cunningham—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 210**, as amended: Senators Schaefer, Schaaf, Onder, LeVota and Curls.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 221**: Senators Schatz, Schmitt, Romine, Chappelle-Nadal and Walsh.

On motion of Senator Richard, the Senate recessed until 1:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

President Pro Tem Dempsey ruled the pending point of order raised by Senator Schaaf on **HB 675**, with **SS**, not well taken.

Senator Schaaf rose to appeal the ruling made by the President Pro Tem of the Senate on the point of order.

At the request of Senator Schaaf, the appeal of the ruling on the point of order was withdrawn.

HOUSE BILLS ON THIRD READING

HB 675, with **SS** (pending), was again taken up.

Senator Kehoe assumed the Chair.

Senator Romine assumed the Chair.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 675, Page 1, In the Title, Line 5, of the title, by inserting immediately after “transportation” the following: “, with a referendum clause”; and

Further amend said bill, page 7, section 304.190, line 23 of said page, by inserting after all of said line the following:

“Section B. This act is hereby submitted to the qualified voters of this state for approval or rejection at an election which is hereby ordered and which shall be held and conducted on Tuesday next following the first Monday in November, 2016, pursuant to the laws and constitutional provisions of this state for the submission of referendum measures by the general assembly, and this act shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise.

Section C. Pursuant to section 116.155, RSMo, and other applicable constitutional provisions and laws of this state authorizing the general assembly to adopt ballot language for the submission of this act to the

voters of this state, the official summary statement of the amendment proposed in section A shall be as follows:

“Shall a tax be imposed to generate eighty million dollars for distribution to the state road fund and local governments and also be adjusted for inflation each year without a vote of the people?””.

Senator Schaaf moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Brown, Emery, Keaveny and Libla.

Senator Kraus assumed the Chair.

At the request of Senator Libla, **HB 675**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 474**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 458**, entitled:

An Act to repeal sections 195.070, 301.142, 334.037, 334.040, 334.104, 334.747, 336.115, 338.200, 338.270, and 338.347, RSMo, and to enact in lieu thereof thirteen new sections relating to health care.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 458, Page 20, Section 336.115, Lines 1-22, by removing all of said section and lines from the bill; and

Further amend said bill, Page 21, Section 338.200, Line 15, by deleting said line and inserting in lieu thereof the following “**under section 338.200 shall be determined by a pharmacist licensed by the board**”; and

Further amend said bill, Page 22, Section 376.379, Lines 12-14, by deleting all of said lines and inserting in lieu thereof the following:

“**medication synchronization services offered under the health benefit plan; and**”; and

Further amend said bill, Page 23, Section 376.388, Line 30, by deleting the word “**within**” and inserting in lieu thereof the words “**at least every**”; and

Further amend said bill, page, and section, Lines 34 through 35, by deleting all of said lines and inserting in lieu thereof the following:

“**maximum allowable cost pricing which has been updated to reflect market pricing at least every seven days as set forth in subdivision (1) of subsection 2 of this section.**”; and

Further amend said bill and section, Page 24, Line 47, by deleting the words, “**health carrier or**”; and

Further amend said bill, page and section, Line 49, by deleting the words, “**health carrier or**”; and

Further amend said bill, page and section, Line 54, by deleting the words, “**health carrier or**”; and

Further amend said bill, page and section, Line 59, by deleting the words, “**health carrier or**”; and

Further amend said bill, page and section, Lines 67-71, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 230**, entitled:

An Act to repeal sections 191.332, 192.020, 192.667, 208.670, 301.142, and 324.001, RSMo, and to enact in lieu thereof twelve new sections relating to health care.

With House Amendment Nos. 1, 2, 3, 4.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 230, Page 11, Section 192.667, Line 217, by inserting after all of said section and line the following:

“196.990. 1. As used in this section, the following terms shall mean:

(1) “Administer”, the direct application of an epinephrine auto-injector to the body of an individual;

(2) “Authorized entity”, any entity or organization at or in connection with which allergens capable of causing anaphylaxis may be present, including but not limited to restaurants, recreation camps, youth sports leagues, amusement parks, and sports arenas;

(3) “Caretaker”, a person or entity under whose care a child has been entrusted by such child’s parent or guardian for consideration;

(4) “Epinephrine auto-injector”, a single-use device used for the automatic injection of a premeasured dose of epinephrine into the human body;

(5) “Physician”, a physician licensed in this state under chapter 334;

(6) “Provide”, the supply of one or more epinephrine auto-injectors to an individual;

(7) “Self-administration”, a person’s discretionary use of an epinephrine auto-injector.

2. A physician may prescribe epinephrine auto-injectors in the name of an authorized entity for use in accordance with this section, and pharmacists, physicians, and other persons authorized to dispense prescription medications may dispense epinephrine auto-injectors under a prescription issued in the name of an authorized entity.

3. An authorized entity may acquire and stock a supply of epinephrine auto-injectors under a prescription issued in accordance with this section. Such epinephrine auto-injectors shall be stored in a location readily accessible in an emergency and in accordance with the epinephrine auto-injector’s instructions for use and any additional requirements established by the department of

health and senior services by rule. An authorized entity shall designate employees or agents who have completed the training required under this section to be responsible for the storage, maintenance, and general oversight of epinephrine auto-injectors acquired by the authorized entity.

4. An employee or agent of an authorized entity or any other person who has completed the training required under this section may use epinephrine auto-injectors prescribed under this section on the premises of or in connection with the authorized entity to:

(1) Provide an epinephrine auto-injector to any individual who the employee, agent, or other person believes in good faith is experiencing anaphylaxis for immediate self-administration, regardless of whether the individual has a prescription for an epinephrine auto-injector or has previously been diagnosed with an allergy;

(2) Administer an epinephrine auto-injector to any individual who the employee, agent, or other person believes in good faith is experiencing anaphylaxis, regardless of whether the individual has a prescription for an epinephrine auto-injector or has previously been diagnosed with an allergy.

5. Notwithstanding the provisions of subsection 4 of this section, an employee or agent of an authorized entity shall not provide or administer an epinephrine auto-injector to any individual who is twelve years of age or younger without the verbal consent of a parent or guardian who is present at the time when provision or administration of the epinephrine auto-injector is needed. Provided, however, that an employee or agent of an authorized entity may provide or administer an epinephrine auto-injector to such an individual without the consent of a parent or guardian if the parent or guardian is not physically present and the employee or agent reasonably believes the individual shall be in imminent danger without the provision or administration of the epinephrine auto-injector.

6. An employee, agent, or other person described in subsection 4 of this section shall successfully complete an anaphylaxis training program prior to providing or administering an epinephrine auto-injector made available by an authorized entity and at least every two years following successful completion of the initial anaphylaxis training program. Such training shall be conducted by a nationally recognized organization experienced in training laypersons in emergency health treatment or other entity or person approved by the department of health and senior services. Training may be conducted online or in person and, at a minimum, shall cover:

(1) Techniques on how to recognize symptoms of severe allergic reactions, including anaphylaxis;

(2) Standards and procedures for the storage and administration of an epinephrine auto-injector; and

(3) Emergency follow-up procedures.

The entity that conducts the training shall issue a certificate, on a form developed or approved by the department of health and senior services, to each person who successfully completes the anaphylaxis training program.

7. The following persons and entities shall not be liable for any injuries or related damages that result from the administration of, self-administration of, or failure to administer an epinephrine auto-injector in accordance with this section that may constitute ordinary negligence:

(1) An authorized entity that possesses and makes available epinephrine auto-injectors and its employees, agents, and other trained persons;

- (2) Any person who uses an epinephrine auto-injector made available under this section;**
- (3) A physician that prescribes epinephrine auto-injectors to an authorized entity; or**
- (4) Any person or entity that conducts the training described in subsection 6 of this section.**

Such immunity does not apply to acts or omissions constituting a reckless disregard for the safety of others or willful or wanton conduct. The administration of an epinephrine auto-injector in accordance with this section shall not be considered the practice of medicine. The immunity from liability provided under this subsection is in addition to and not in lieu of that provided under section 537.037. An authorized entity located in this state shall not be liable for any injuries or related damages that result from the provision or administration of an epinephrine auto-injector by its employees or agents outside of this state if the entity or its employee or agent are not liable for such injuries or related damages under the laws of the state in which such provision or administration occurred.

8. No immunity provided under this section shall apply to a caretaker if the individual who experienced anaphylaxis:

- (1) Was a minor child;**
- (2) Had a known allergy at the time of anaphylaxis;**
- (3) Was under the care or supervision of a caretaker other than a parent or guardian;**
- (4) Was prescribed an epinephrine auto-injector;**
- (5) Was not administered an epinephrine auto-injector by a caretaker; and**
- (6) Had an epinephrine auto-injector available to him or her at the time of anaphylaxis due to one of following:**
 - (a) The minor child being in possession of his or her epinephrine auto-injector, an epinephrine auto-injector present on the premises where the anaphylaxis occurred, or the caretaker being in possession of an epinephrine auto-injector;**
 - (b) The parent of guardian of the minor child providing an epinephrine auto-injector to the caretaker; or**
 - (c) The caretaker representing to the parent of guardian of the minor child that an epinephrine auto-injector is available on the premises where the anaphylaxis occurred.**

9. No immunity provided under this section shall apply to any licensed health care provider if the administration of an epinephrine auto-injector is within his or her scope of practice except when the alleged liability is based upon:

- (1) Such provider's actions in prescribing or dispensing the prescription; or**
- (2) Such provider's action in providing training to authorized entities under this section.**

10. An authorized entity that possesses and makes available epinephrine auto-injectors shall submit to the department of health and senior services, on a form developed by the department, a report of each incident on the authorized entity's premises involving the administration of an epinephrine auto-injector. The department shall annually publish a report that summarizes all

reports submitted to it under this subsection, but shall not include any identifying information regarding the persons to whom such epinephrine auto-injectors were administered.

11. An authorized entity that acquires a stock supply of epinephrine auto-injectors under a prescription issued in accordance with this section may make such epinephrine auto-injectors available to individuals other than the trained persons described in subsection 4 of this section if the epinephrine auto-injectors are stored in a locked secure container in accordance with manufacturer specifications and are made available only upon remote authorization by a physician via audio, televideo, or other similar means of electronic communication. Consultation with a physician for such purpose shall not be considered the practice of telemedicine or otherwise be construed as violating any law or rule regulating the physician's professional practice.”; and

Further amend said bill, Page 14, Section 208.675, Line 11, by inserting immediately after said line the following:

“(9) Optometrists;”; and

Further amend said section by renumbering the subdivisions accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 230, Page 3, Section 192.380, Line 36, by deleting all of said line and inserting in lieu thereof the following:

“gynecology, family medicine practicing obstetrics, or pediatrics, at least one of which shall be in active practice in a rural area;”; and

Further amend said bill and section, Page 4, Line 92, by inserting after all of said line the following:

“12. The criteria for levels of birthing care developed under subsection 4 of this section shall not include pregnancy termination, or counseling or referral for pregnancy termination.

13. All certified professional midwives may consult with and participate in educational opportunities through the regional perinatal center.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 230, Page 17, Section 208.686, Line 52, by inserting after all of said section and line the following:

“208.909. 1. Consumers receiving personal care assistance services shall be responsible for:

(1) Supervising their personal care attendant;

(2) Verifying wages to be paid to the personal care attendant;

(3) Preparing and submitting time sheets, signed by both the consumer and personal care attendant, to the vendor on a biweekly basis;

(4) Allowing the personal care attendant to use his or her telephone for the purpose of electronic

visit verification (EVV) if such use does not add cost to the consumer;

(5) Promptly notifying the department within ten days of any changes in circumstances affecting the personal care assistance services plan or in the consumer's place of residence;

[(5)] (6) Reporting any problems resulting from the quality of services rendered by the personal care attendant to the vendor. If the consumer is unable to resolve any problems resulting from the quality of service rendered by the personal care attendant with the vendor, the consumer shall report the situation to the department; and

[(6)] (7) Providing the vendor with all necessary information to complete required paperwork for establishing the employer identification number.

2. Participating vendors shall be responsible for:

(1) Collecting time sheets or reviewing reports of delivered services and certifying the accuracy thereof;

(2) The Medicaid reimbursement process, including the filing of claims and reporting data to the department as required by rule;

(3) Transmitting the individual payment directly to the personal care attendant on behalf of the consumer;

(4) Monitoring the performance of the personal care assistance services plan.

3. No state or federal financial assistance shall be authorized or expended to pay for services provided to a consumer under sections 208.900 to 208.927, if the primary benefit of the services is to the household unit, or is a household task that the members of the consumer's household may reasonably be expected to share or do for one another when they live in the same household, unless such service is above and beyond typical activities household members may reasonably provide for another household member without a disability.

4. No state or federal financial assistance shall be authorized or expended to pay for personal care assistance services provided by a personal care attendant who is listed on any of the background check lists in the family care safety registry under sections 210.900 to 210.937, unless a good cause waiver is first obtained from the department in accordance with section 192.2495.

5. (1) All vendors shall, by July 1, [2015] **2016**, have, maintain, and use [a telephone tracking] **an EVV** system for the purpose of reporting and verifying the delivery of consumer-directed services as authorized by the department of health and senior services or its designee. Use of such a system prior to July 1, [2015] **2016**, shall be voluntary. The [telephone tracking] **EVV** system shall be used [to process payroll for employees and] for submitting claims for reimbursement to the MO HealthNet division. At a minimum, the [telephone tracking] **EVV** system shall:

(a) Record the exact date services are delivered;

(b) Record the exact time the services begin and exact time the services end;

(c) Verify [the telephone number from which the services are registered] **that the services are being delivered at the location where the consumer resides;**

(d) [Verify that the number from which the call is placed is a telephone number unique to the client;

(e)] Require a personal identification number unique to each personal care attendant;

[(f)] (e) Be capable of producing reports [of services delivered, tasks performed, client] **that at a minimum capture the consumer** identity, beginning and ending times of service and date of service in summary fashion that constitute adequate documentation of service[]; and

(g) Be capable of producing reimbursement requests for consumer approval that assures accuracy and compliance with program expectations for both the consumer and vendor.

(2) The department of health and senior services, in collaboration with other appropriate agencies, including centers for independent living, shall establish telephone tracking system pilot projects, implemented in two regions of the state, with one in an urban area and one in a rural area. Each pilot project shall meet the requirements of this section and section 208.918. The department of health and senior services shall, by December 31, 2013, submit a report to the governor and general assembly detailing the outcomes of these pilot projects. The report shall take into consideration the impact of a telephone tracking system on the quality of the services delivered to the consumer and the principles of self-directed care.

(3)]. (2) As new technology becomes available, the department [may] **shall** allow use of a more advanced tracking system, **electronic or otherwise**, provided that such system is at least as capable of meeting the requirements of this subsection.

[(4)] (3) The department of health and senior services shall promulgate by rule the minimum necessary criteria of the [telephone tracking] **EVV** system. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

6. [In the event that a consensus between centers for independent living and representatives from the executive branch cannot be reached, the telephony report issued to the general assembly and governor shall include a minority report which shall detail those elements of substantial dissent from the main report.

7.] No interested party, including a center for independent living, shall be required to contract with any particular vendor or provider of [telephony] **EVV** services [nor bear the full cost of the pilot program].”; and

Further amend said bill, Page 28, Section 324.001, Line 181, by inserting after all of said section and line the following:

“660.023. 1. All in-home services provider agencies shall, by July 1, [2015] **2016**, have, maintain, and use [a telephone tracking] **an electronic visit verification (EVV)** system for the purpose of reporting and verifying the delivery of home- and community-based services as authorized by the department of health and senior services or its designee. Use of such system prior to July 1, [2015] **2016**, shall be voluntary. At a minimum, the [telephone tracking] **EVV** system shall:

(1) Record the exact date services are delivered;

(2) Record the exact time the services begin and exact time the services end;

(3) Verify [the telephone number from which the services were registered] **that services are being delivered at the location where the consumer resides;**

(4) [Verify that the number from which the call is placed is a telephone number unique to the client;

(5)] Require a personal identification number unique to each personal care attendant; and

[(6)] **(5)** Be capable of producing reports [of services delivered, tasks performed,] **that at a minimum capture** client identity, beginning and ending times of service and date of service in summary fashion that constitute adequate documentation of service.

2. The [telephone tracking] **EVV** system shall be used [to process payroll for employees and] for submitting claims for reimbursement to the MO HealthNet division.

3. The department of health and senior services shall promulgate by rule the minimum necessary criteria of the [telephone tracking] **EVV** system. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

4. As new technology becomes available, the department [may] **shall** allow use of a more advanced tracking system, **electronic or otherwise**, provided that such system is at least as capable of meeting the requirements listed in subsection 1 of this section.

5. The department of health and senior services, in collaboration with other appropriate agencies, including in-home services providers, shall establish telephone tracking system pilot projects, implemented in two regions of the state, with one in an urban area and one in a rural area. Each pilot project shall meet the requirements of this section. The department of health and senior services shall, by December 31, 2013, submit a report to the governor and general assembly detailing the outcomes of these pilot projects. The report shall take into consideration the impact of a telephone tracking system on the quality of the services delivered to the consumer and the principles of self-directed care.

6. In the event that a consensus between in-home service providers and representatives from the executive branch cannot be reached, the telephony report issued to the general assembly and governor shall include a minority report which will detail those elements of substantial dissent from the main report.

7. No interested party, including in-home service providers, shall be required to contract with any particular vendor or provider of [telephony] **EVV** services [nor bear the full cost of the pilot program].

Section B. Because immediate action is necessary to ensure that home-based MO HealthNet participants receive necessary personal care assistance services, section 208.909 and 660.023 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 208.909 and 660.023 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 230, Page 11, Section 192.667, Line 217, by inserting after all of said section and line the following:

“208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy persons as defined in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the age of sixty-five years and over the age of twenty-one years; provided that the MO HealthNet division shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the MO HealthNet children’s diagnosis length-of-stay schedule; and provided further that the MO HealthNet division shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the MO HealthNet division not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for participants, except to persons with more than five hundred thousand dollars equity in their home or except for persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. Section 301, et seq.), as amended, for nursing facilities. The MO HealthNet division may recognize through its payment methodology for nursing facilities those nursing facilities which serve a high volume of MO HealthNet patients. The MO HealthNet division when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the participant is on a temporary leave of absence from the hospital or nursing home, provided that no such participant shall be allowed a temporary leave of absence unless it is specifically provided for in his plan of care. As used in this subdivision, the term “temporary leave of absence” shall include all periods of time during which a participant is away from the hospital or nursing home overnight because he is visiting a friend or relative;

(6) Physicians' services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) Drugs and medicines when prescribed by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

(8) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

(9) Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and federal regulations promulgated thereunder;

(10) Home health care services;

(11) Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions unless such abortions are certified in writing by a physician to the MO HealthNet agency that, in the physician's professional judgment, the life of the mother would be endangered if the fetus were carried to term;

(12) Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. Section 1396d, et seq.);

(13) Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

(14) Personal care services which are medically oriented tasks having to do with a person's physical requirements, as opposed to housekeeping requirements, which enable a person to be treated by his or her physician on an outpatient rather than on an inpatient or residential basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the participant's family who is qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one participant one hundred percent of the average statewide charge for care and treatment in an intermediate care facility for a comparable period of time. Such services, when delivered in a residential care facility or assisted living facility licensed under chapter 198 shall be authorized on a tier level based on the services the resident requires and the frequency of the services. A resident of such facility who qualifies for assistance under section 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the fewest services. The rate paid to providers for each tier of service shall be set subject to appropriations. Subject to appropriations, each resident of such facility who qualifies for assistance under section 208.030 and meets the level of care required in this section shall, at a minimum,

if prescribed by a physician, be authorized up to one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident's personal physician. Such authorized units of personal care services or tier level shall be transferred with such resident if he or she transfers to another such facility. Such provision shall terminate upon receipt of relevant waivers from the federal Department of Health and Human Services. If the Centers for Medicare and Medicaid Services determines that such provision does not comply with the state plan, this provision shall be null and void. The MO HealthNet division shall notify the revisor of statutes as to whether the relevant waivers are approved or a determination of noncompliance is made;

(15) Mental health services. The state plan for providing medical assistance under Title XIX of the Social Security Act, 42 U.S.C. Section 301, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management. As used in this section, mental health professional and alcohol and drug abuse professional shall be defined by the department of mental health pursuant to duly promulgated rules. With respect to services established by this subdivision, the department of social services, MO HealthNet division, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the MO HealthNet division. The agreement shall establish a mechanism for the joint implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

(16) Such additional services as defined by the MO HealthNet division to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. Section 301, et seq.) subject to appropriation by the general assembly;

(17) The services of an advanced practice registered nurse with a collaborative practice agreement to the extent that such services are provided in accordance with chapters 334 and 335, and regulations promulgated thereunder;

(18) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection to reserve a bed for the participant in the nursing home during the time that the participant is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO HealthNet certified licensed beds, according to the most recent quarterly census provided to the department of health and senior services which was taken prior to when the participant is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per hospital stay;

(c) For each day that nursing home costs are paid on behalf of a participant under this subdivision during any period of six consecutive months such participant shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the participant or the participant's responsible party that the participant intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the participant or the participant's responsible party prior to release of the reserved bed;

(19) Prescribed medically necessary durable medical equipment. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(20) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(21) Prescribed medically necessary dental services. Such services shall be subject to appropriations.

An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(22) Prescribed medically necessary optometric services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(23) Blood clotting products-related services. For persons diagnosed with a bleeding disorder, as defined in section 338.400, reliant on blood clotting products, as defined in section 338.400, such services include:

(a) Home delivery of blood clotting products and ancillary infusion equipment and supplies, including the emergency deliveries of the product when medically necessary;

(b) Medically necessary ancillary infusion equipment and supplies required to administer the blood clotting products; and

(c) Assessments conducted in the participant's home by a pharmacist, nurse, or local home health care agency trained in bleeding disorders when deemed necessary by the participant's treating physician;

(24) The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the status of MO HealthNet provider reimbursement rates as compared to one hundred percent of the Medicare reimbursement rates and compared to the average dental reimbursement rates paid by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008, provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement rates and for third-party payor average dental reimbursement rates. Such plan shall be subject to appropriation and the division shall include in its annual budget request to the governor the necessary funding needed to complete the four-year plan developed under this subdivision.

2. Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Dental services;

(2) Services of podiatrists as defined in section 330.010;

(3) Optometric services as defined in section 336.010;

(4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;

(5) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice

patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The MO HealthNet division shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3. The MO HealthNet division may require any participant receiving MO HealthNet benefits to pay part of the charge or cost until July 1, 2008, and an additional payment after July 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered services except for those services covered under subdivisions (14) and (15) of subsection 1 of this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. Section 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, and a generic drug is substituted for a name-brand drug, the MO HealthNet division may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all participants the additional payment that may be required by the MO HealthNet division under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by participants under this section shall be in addition to and not in lieu of payments made by the state for goods or services described herein except the participant portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a participant is unable to pay a required payment. If it is the routine business practice of a provider to terminate future services to an individual with an unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give participants advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a participant. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the Missouri MO HealthNet state plan amendment submitted by the department of social services that would allow a provider to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

4. The MO HealthNet division shall have the right to collect medication samples from participants in

order to maintain program integrity.

5. Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for MO HealthNet benefits at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. Section 1396a and federal regulations promulgated thereunder.

6. Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for MO HealthNet benefits under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. Section 1396a, as amended, and regulations promulgated thereunder.

9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the MO HealthNet program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. Section 1396a (a)(13)(C).

10. The MO HealthNet division, may enroll qualified residential care facilities and assisted living facilities, as defined in chapter 198, as MO HealthNet personal care providers.

11. Any income earned by individuals eligible for certified extended employment at a sheltered workshop under chapter 178 shall not be considered as income for purposes of determining eligibility under this section.

12. Subject to appropriations, providers of behavioral, social, and psychophysiological services for the prevention, treatment, or management of physical health problems shall be reimbursed utilizing the behavior assessment and intervention reimbursement codes 96150 to 96154 or their successor codes under the Current Procedural Terminology (CPT) coding system. Providers eligible for such reimbursement shall include psychologists.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS for SB 190**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HB 556**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SCS** for **SB 5**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SCS** for **SB 5**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 322**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 380**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1**, **HA 2**, to **SCS** for **SB 328** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 326**, entitled:

An Act to repeal sections 29.230, 49.060, 50.622, 51.090, 53.010, 54.033, 55.050, 58.040, 59.022, 67.950, 72.418, 105.030, 321.322, 473.730, and 483.020, RSMo, and to enact in lieu thereof twenty-one new sections relating to political subdivisions, with an emergency clause for certain sections.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8 and 9.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 326, Page 9, Section 72.418, Lines 15-16, by deleting said lines and inserting in lieu thereof the following:

“is not completed by August 28, 2015, shall continue to levy and collect taxes in the annexed area as authorized under chapter 321. The annexing city shall not levy or collect any”; and

Further amend said bill and section, Page 12, Line 116, by inserting immediately after said line the following:

“7. Notwithstanding any other provision of law to the contrary, if, after the effective date of this section, litigation is filed concerning the validity or constitutionality of subsections 3 and 4 of this section, the annexing city shall continue to pay to the fire protection district the amount required to be paid by the annexing city under subsection 3 or subsection 4 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 326, Page 12, Section 72.418, Line 116, by inserting the following after all of said line:

“94.902. 1. The governing [body] bodies of the following cities may impose a tax as provided in this section:

(1) Any city of the third classification with more than twenty-six thousand three hundred but less than twenty-six thousand seven hundred inhabitants[, or] ;

(2) Any city of the fourth classification with more than thirty thousand three hundred but fewer than thirty thousand seven hundred inhabitants[, or] ;

(3) Any city of the fourth classification with more than twenty-four thousand eight hundred but fewer than twenty-five thousand inhabitants[.] ;

(4) Any special charter city with more than twenty-nine thousand but fewer than thirty-two thousand inhabitants; or

(5) Any city of the third classification with more than four thousand but fewer than four thousand five hundred inhabitants and located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants.

2. The governing body of any city listed in subsection 1 of this section may impose, by order or ordinance, a sales tax on all retail sales made in the city which are subject to taxation under chapter 144. The tax authorized in this section may be imposed in an amount of up to one-half of one percent, and shall be imposed solely for the purpose of improving the public safety for such city, including but not limited to expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the city submits to the voters residing within the city, at a county or state general, primary, or special election, a proposal to authorize the governing body of the city to impose a tax under this section.

[2.] **3.** The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall the city of (city’s name) impose a citywide sales tax at a rate of (insert rate of percent) percent for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the

question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments to the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a majority of the votes cast on the proposal by the qualified voters voting thereon are opposed to the proposal, then the tax shall not become effective unless the proposal is resubmitted under this section to the qualified voters and such proposal is approved by a majority of the qualified voters voting on the proposal. However, in no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.

[3.] **4.** Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in section 32.087. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state’s general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created in the state treasury, to be known as the “City Public Safety Sales Tax Trust Fund”. The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director shall keep accurate records of the amount of money in the trust fund and which was collected in each city imposing a sales tax under this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax. Such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

[4.] **5.** The director of the department of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the action at least ninety days before the effective date of the repeal, and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

[5.] **6.** The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the city) repeal the sales tax imposed at a rate

of (insert rate of percent) percent for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question.

[6.] 7. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

[7.] 8. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 326, Page 9, Section 67.950, Line 79, by inserting after said line the following:

“70.210. As used in sections 70.210 to 70.320, the following terms mean:

(1) “Governing body”, the board, body or persons in which the powers of a municipality or political subdivision are vested;

(2) “Municipality”, municipal corporations, political corporations, and other public corporations and agencies authorized to exercise governmental functions;

(3) “Political subdivision”, counties, townships, cities, towns, villages, school, county library, city library, city-county library, road, drainage, sewer, levee and fire districts, soil and water conservation districts, watershed subdistricts, county hospitals, [and] any board of control of an art museum, **the board created under sections 205.968 to 205.973**, and any other public subdivision or public corporation having the power to tax.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 326, Page 12, Section 72.418, Line 116, by inserting after all of said section and line the following:

“94.360. 1. The council of any incorporated town or city in this state having a special charter and which

contains not more than thirty thousand inhabitants may by ordinance levy and collect a license tax on wholesale houses, auctioneers, architects, druggists, grocers, banks, brokers, wholesale merchants, merchants of all kinds, confectioners, delivery trucks, ice trucks, transfer trucks, laundry wagons, milk wagons, merchant delivery companies, cigar and tobacco stands, hay scales, wood dealers, coal dealers, coal distributors, coal truckers, lumber dealers, real estate agents, loan companies, abstracters, abstract agencies, loan agents, collection agencies, undertakers, public buildings, office buildings, public halls, public grounds, concerts, photographers in office or upon streets, canvassers, artists, drummers, patent right dealers, insurance companies, insurance agents, taverns, hotels, rooming houses, boarding houses, sanitariums, hospitals, health schools, telephone companies, street contractors, paperhanger contractors, painting contractors, plastering contractors, and all subcontractors, flour mills, express company agencies, opticians, wagons, buggies, carriages, tanners, barbers, barbershops, hairdressers, hair dressing shops, whether conducted in connection with other business or separate, beauty parlors, tailors, florists, nursery stock agents, bookbinders, monument dealers, and agencies, manufacturing agents, shoe cobbler shops, storage warehouses, shoe shining parlors, job printing plants, outdoor advertising, ready-to-wear clothing agencies, tailor-made clothing agencies, sewing machine agencies, piano and organ dealers and agents, foreign coffee and tea dealers, and agents or all other vocations whatsoever, and fix the rate of carriage of persons and wagonage, drayage and cartage of property; and may levy and collect a license tax and regulate hawkers, peddlers, pawnbrokers, restaurants, butchers, wholesale butchers, bathhouses and masseurs, lunch stands, lunch counters, lunch wagons, soft drink and ice cream stands and vendors, ice cream parlors, peanut and popcorn stands, and stands of every kind, hucksters, opera houses, moving picture shows, private parks, public lectures, public meetings, baseball parks, horse and cattle dealers, stockyards, wagon yards, auto yards, oil stations, wholesale and retail inspectors, gaugers, mercantile agents, manufacturing and other corporations, or institutions, machine shops, blacksmith shops, radio repair shops, foundries, sewer contractors, building contractors, stone contractors, sidewalk contractors, bridge contractors, plumbing contractors, brick contractors, cement contractors, and all subcontractors, street railroad cars, gas companies, light companies, power companies, and water companies, laundries, laundry agencies, rug and carpet cleaners, linen supply rental service, conditioning and renting for use, bed linen, table linen, towels, rugs, uniform aprons, coats, caps, coveralls, chair covers, automobile seat covers or any other items, ice plants and ice plant agencies, ice dealers, omnibuses, automobiles, automobile trailers, tractors, carts, drays, milk wagons, laundry wagons, delivery wagons, transfer and job wagons, ice wagons, and all other vehicles, traveling and auction stores, plumbers, pressing establishments, installment houses and agencies, produce and poultry dealers, feather renovators, baker and bakeries, bakery delivery wagons, and delivery autos, bottling works, dye works, cleaning establishments, sand plants, steamfitters, corn doctors, chiropodists, hackmen, taxicabs, buses, draymen, omnibus drivers, porters, dairies, and regulate the same, and all other pursuing like occupations; and may levy and collect a license tax, regulate, restrain, prohibit and suppress ordinaries, money brokers, money changers, intelligence and employment offices, and agencies, public masquerades, balls, street exhibitions, dance halls, fortune tellers, pistol galleries, shooting galleries, palmists, private venereal hospitals, museums, menageries, equestrian performances, fluoroscopic views, picture shows, telescopic views, lung testers, muscle developers, magnifying glasses, ten pin alleys, ball alleys, bowling alleys, billiard tables, pool and other tables, miniature golf courses, theatrical or other exhibitions, boxing and sparring exhibitions, shows and amusements, amusement parks, and the sale of unclaimed goods by express companies or common carriers, auto wrecking shops, bill posters, junk dealers, porters, carnival and street fairs, circuses and shows for parade and exhibition, or both, skating rinks and runners, and solicitors for steamboats, cars, stages, taxicabs, hotels, rooming houses, boarding houses, bathhouses, masseurs, hospitals, sanitariums, health schools, and all other pursuing like occupations.

2. Notwithstanding any other law to the contrary, the total license taxes, including those authorized under sections 94.360 and 94.270, imposed upon hotels or motels levied by any city may not exceed one-eighth of one percent of a hotel's or motel's gross revenue or the tax rate imposed on hotels and motels as of May 1, 2015, whichever is higher. The provisions of this section shall not apply to any tax levied in compliance with subsection 7 of section 94.270 or to any tax levied under section 92.045.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 326, Page 7, Section 59.022, Line 13, by inserting after said line the following:

“67.402. 1. The governing body of the following counties may enact nuisance abatement ordinances as provided in this section:

(1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(2) Any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants;

(3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants;

(4) Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;

(5) Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants;

(6) Any county of the third classification with a township form of government and with more than fourteen thousand five hundred but fewer than fourteen thousand six hundred inhabitants;

(7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

(8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;

(9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; [and]

(10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants;

(11) Any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants.

2. The governing body of any county described in subsection 1 of this section may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of rubbish and trash,

lumber, bricks, tin, steel, parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or overgrown or noxious weeds in residential subdivisions or districts which may endanger public safety or which is unhealthy or unsafe and declared to be a public nuisance.

3. Any ordinance enacted pursuant to this section shall:

(1) Set forth those conditions which constitute a nuisance and which are detrimental to the health, safety, or welfare of the residents of the county;

(2) Provide for duties of inspectors with regard to those conditions which may be declared a nuisance, and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such property;

(3) Provide for service of adequate notice of the declaration of nuisance, which notice shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and may provide that such notice be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, then service may be had by publication. The ordinances shall further provide that the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located shall be made parties;

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, the county commission shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, no order shall be issued.

4. Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county clerk or officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the county collector's option, for the property and the certified cost shall be collected by the county collector in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid.

5. Nothing in this section authorizes any county to enact nuisance abatement ordinances that provide for the abatement of any condition relating to agricultural structures or agricultural operations, including

but not limited to the raising of livestock or row crops.

6. No county of the first, second, third, or fourth classification shall have the power to adopt any ordinance, resolution, or regulation under this section governing any railroad company regulated by the Federal Railroad Administration.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 326, Page 13, Section 105.030, Line 18, by inserting immediately after said line the following:

“137.076. **1.** In establishing the value of a parcel of real property the county assessor shall consider current market conditions and previous decisions of the county board of equalization, the state tax commission or a court of competent jurisdiction that affected the value of such parcel. For purposes of this section, the term “current market conditions”, shall include the impact upon the housing market of foreclosures and bank sales.

2. In establishing the value of a parcel of real property the county assessor shall and will use an income based approach for assessment of parcels of real property with federal or state imposed restrictions in regard to rent limitations, operations requirements or any other restrictions imposed upon the property in connection with the property being eligible for any income tax credits under section 42 of the Internal Revenue Code of 1986 as amended; property constructed with the use of the United States Department of Housing and Urban Development HOME investment partnerships program; property constructed with the use of incentives provided by the United States Department of Agriculture Rural Development; or property receiving any other state or federal subsidies provided with respect to use of the property for housing purposes.

3. For the purposes of this section, the term “income based approach” shall and will include the use of direct capitalization methodology and computed by dividing the estimated net operating income of the parcel of property by an appropriate capitalization rate not to exceed the average of the current market data available in the county of said parcel of property. Federal and State tax credits or other subsidies shall not be considered when calculating the capitalization rate. Upon expiration of a land use restriction agreement, such parcel of property shall no longer be subject to this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 326, Page 28, Section 483.020, Line 10, by inserting the following after all of said line:

“488.2265. 1. In addition to all other court costs prescribed by law, a surcharge of up to ten dollars shall be assessed as costs in each court proceeding filed in any court in the state located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants and with a city of the fourth classification with more than thirteen thousand five hundred but fewer than sixteen thousand inhabitants as the county seat in all civil and criminal cases including violations of any county or municipal ordinance or infractions, except that no such surcharge shall be collected for any violation of a traffic law or ordinance or in any proceeding when the proceeding

or defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. For violations of the criminal laws of the state or county ordinances, including infractions, no such surcharge shall be collected unless it is authorized by order, ordinance, or resolution by the county government where the violation occurred. For violations of municipal ordinances, no such surcharge shall be collected unless it is authorized by order, ordinance, or resolution by the municipal government where the violation occurred. Such surcharges shall be collected and disbursed by the clerk of each respective court responsible for collecting court costs in the manner provided by sections 488.010 to 488.020, and shall be payable to the treasurer of the political subdivision authorizing such surcharge.

2. Each county or municipality shall use all funds received pursuant to this section only to pay for the costs associated with the land assemblage and purchase, planning, and construction of a new facility, maintenance, and operation of any county or municipal judicial facility or justice center including, but not limited to, architectural, engineering, and other plans and studies, utilities, maintenance, and building security of any judicial facility. The county or municipality shall establish and maintain a separate account known as the “justice center fund” limited to the uses authorized by this section. The county or municipality shall maintain records identifying all surcharges and expenditures made from the justice center fund.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 326, Page 12, Section 72.418, Line 116, by inserting after all of said line the following:

“72.150. When two or more cities, towns or villages in this state adjoining and contiguous to each other in the same or adjoining county or two or more cities, towns or villages located in a county of the second classification having a population of at least forty-seven thousand but not more than forty-nine thousand which are not adjoining and contiguous to each other but whose combined territory when combined will be contiguous **or when two or more cities, towns, or villages located in a county of the first classification or a county of the second classification that have entered into one or more intergovernmental agreements related to municipal services and are separated by a distance of not more than one mile and are connected by at least two public maintained rights of way** shall be desirous of being consolidated, it shall be lawful for them to consolidate under one government of the classification under which any of them was organized or the classification provided for the consolidated population, in the manner and subject to the provisions prescribed in sections 72.150 to 72.220. Any cities, towns or villages within any county with a charter form of government where fifty or more cities, towns and villages have been incorporated shall consolidate pursuant to the provisions of section 72.420.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 326, Page 9, Section 67.950, Line 79, by inserting after all of said section and line the following:

“67.1080. 1. Provisions of law to the contrary notwithstanding, where a county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants has properly levied a tax, which by law terminates within a specified period of time, the

imposition of such tax may, by a majority vote of the governing body of such county, be extended; except that no ordinance or order extending such tax shall be effective unless the governing body of the county submits to the voters of such county, at a county or state general, primary, or special election, a proposal to authorize the governing body of the county to extend such tax.

2. The ballot of submission shall contain, but need not be limited to the following language:

“Shall the county of (insert county’s name) extend the countywide (insert type of tax) tax currently imposed for the purpose of (insert purpose of tax) at the rate of (insert rate) percent (it shall be optional to include the duration of the extension)?”.

3. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to extend the tax as herein authorized unless and until the governing body of the county submits another proposal to authorize the governing body of the county to extend the tax under the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 210**, as amended. Representatives: Flanigan, Allen, Leara, Rizzo and McCann Beatty.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SCS** for **SB 328**, as amended. Representatives: Lauer, Frederick, Rowland, Morgan and Arthur.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 221**. Representatives: Hinson, Leara, Allen, Otto and Burns.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 322**, as amended. Representatives: Engler, Zerr, Franklin, Kirkton and Meredith.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 380**, as amended. Representatives: Lair, Cornejo, Dugger, Kirkton and Arthur.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SCR 30**.

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 30

WHEREAS, humans need a varied diet containing protein in order to be healthy; and

WHEREAS, eggs are an efficient, nutritious, and affordable form of animal protein on which millions of Americans rely; and

WHEREAS, Article I, Section 8, Clause 3 of the United States Constitution, also known as the Commerce Clause, was designed to ensure free trade between the states by preventing any state from imposing a tariff or other restriction on goods from another state; and

WHEREAS, California is one of the nation's largest producers and consumers of eggs for human consumption; and

WHEREAS, conventional chicken enclosures, also known as battery cages, have been proven to better protect egg-laying hens from bone breaks, cannibalism, disease, smothering, and predation than free range operations or operations using so-called "enriched cages"; and

WHEREAS, forcing egg producers to switch to "enriched cages" or nonconfinement operations drove up the cost of eggs in the European Union while also leading to food shortages and the closure of countless farms; and

WHEREAS, forcing egg farmers in America to abandon battery cages in favor of "enriched cages" or nonconfinement operations will lead to the same impacts on the U.S. economy and food supply; and

WHEREAS, the Humane Society of the United States, also known as HSUS, is America's largest animal rights group and has aggressively pursued an agenda intended to decrease and eventually eliminate the public's consumption of animal protein; and

WHEREAS, California voters adopted Proposition 2 to their state constitution in 2008, requiring the state's egg producers to switch to "enriched cages" or nonconfinement operations in a campaign led and funded by the Humane Society of the United States; and

WHEREAS, in 2010, at the behest of HSUS, the California legislature passed AB 1437, which was signed into law by Governor Arnold Schwarzenegger, prohibiting the sale of eggs from other states that do not meet the requirements of Proposition 2 of 2008; and

WHEREAS, together, California's Proposition 2 and AB 1437 violate the Commerce Clause of the U.S. Constitution by preventing free trade among the states; and

WHEREAS, together, California's Proposition 2 and AB 1437 have artificially increased egg prices and restricted the availability of affordable eggs and vital animal protein to Californians, especially low-income citizens:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, the Senate concurring therein, hereby condemn California's anti-trade actions and call on the California legislature to repeal AB 1437 and urge the voters of California to reconsider and repeal Proposition 2.

In which the concurrence of the Senate is respectfully requested.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **HCS for SCS for SB 322**, as amended: Senators Dempsey, Sater, Schaaf, Nasheed and Schupp.

President Pro Tem Dempsey appointed the following conference committee to act with a like committee from the House on **SCS for SB 328**, as amended by **HA 1** and **HA 2**: Senators Schupp, Brown, Riddle, Onder and Walsh.

PRIVILEGED MOTIONS

Senator Riddle moved that the Senate refuse to recede from its position on **SS for SCS for HB 556**, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Schatz moved that the Senate request the House grant further conference on **HCS** for **SS** for **SCS** for **SB 278**, which motion prevailed.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 457**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 996**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 875**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaaf, Chairman of the Committee on General Laws and Pensions, submitted the following report:

Mr. President: Your Committee on General Laws and Pensions, to which was referred **HB 1076**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HBs 671** and **683**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1039**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **HCS** for **HB 444**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Veterans' Affairs and Health, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs and Health, to which was referred **HCS** for **HB 1066**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 844**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

PRIVILEGED MOTIONS

Senator Sater moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 326**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Kehoe assumed the Chair.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

May 7, 2015

TO THE SECRETARY OF THE SENATE
98TH GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Bill No. 239, entitled:

AN ACT

To repeal sections 1.010, 538.205, and 538.210, RSMo, and to enact in lieu thereof three new sections relating to a statutory cause of action against healthcare providers.

On May 7, 2015, I approved said Senate Substitute for Senate Bill No. 239.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

RESOLUTIONS

Senator LeVota offered Senate Resolution No. 1073, regarding Corinna Mejia-Ridenhour, which was adopted.

Senator LeVota offered Senate Resolution No. 1074, regarding Andrea J. Routh, Esquire, Kansas City, which was adopted.

Senator Schupp offered Senate Resolution No. 1075, regarding Timothy E. "Tim" Griffin, Kirkwood, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Schmitt introduced to the Senate, the Physician of the Day, Dr. Dave Meyer, Glendale.

On motion of Senator Richard, the Senate adjourned until 10:00 a.m., Friday, May 8, 2015.

SENATE CALENDAR

SIXTY-SIXTH DAY—FRIDAY, MAY 8, 2015

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce (In Fiscal Oversight)	SB 203-Dixon (In Fiscal Oversight)
SCS for SB 56-Munzlinger (In Fiscal Oversight)	SB 352-Schaefer (In Fiscal Oversight)
SS for SB 201-Dixon (In Fiscal Oversight)	SS for SB 540-Libla (In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

- | | |
|---|--|
| 1. HCS for HB 882-McGaugh, with SCS
(Munzlinger) (In Fiscal Oversight) | 9. HCS for HB 117 (Dixon)
(In Fiscal Oversight) |
| 2. HB 279-Cornejo, with SCS (Schmitt)
(In Fiscal Oversight) | 10. HB 101-Redmon (Libla) (In Fiscal Oversight) |
| 3. HB 100-Gosen, with SCS (Parson)
(In Fiscal Oversight) | 11. HB 1305-Rowden (Schaefer)
(In Fiscal Oversight) |
| 4. HCS for HB 807, with SCS (Dixon)
(In Fiscal Oversight) | 12. HCS for HB 1002, with SCS (Kehoe)
(In Fiscal Oversight) |
| 5. HB 254-Crawford, with SCS (Parson)
(In Fiscal Oversight) | 13. HCS for HB 457 (Dempsey) |
| 6. HCS for HB 811, with SCS (Riddle)
(In Fiscal Oversight) | 14. HB 996-Hoskins |
| 7. HB 32-Hoskins (Pearce)
(In Fiscal Oversight) | 15. HB 875-Hinson, with SCS (Schatz) |
| 8. HB 218-Wilson, with SCS (Dixon)
(In Fiscal Oversight) | 16. HB 1076-Brown (57) (Emery) |
| | 17. HCS for HBs 671 & 683, with SCS |
| | 18. HB 1039-Dugger (Hegeman) |
| | 19. HCS for HB 444 |
| | 20. HCS for HB 1066, with SCS (Schaaf) |
| | 21. HCS for HB 844, with SCS (Wasson) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

SB 17-Dixon	SB 305-Onder
SB 37-Romine, with SCS & SA 1 (pending)	SB 313-Wallingford, with SCS
SB 44-Nasheed, with SCS, SS for SCS & SA 1 (pending)	SBs 331 & 21-Libla, with SCS & SS for SCS (pending)
SB 46-Holsman	SB 339-Munzlinger, with SS (pending)
SB 53-Schaaf, with SS#2 (pending)	SB 358-Kehoe
SB 55-Munzlinger	SB 360-Parson, with SCS
SB 59-Dixon	SB 371-Munzlinger
SB 69-LeVota, with SCS	SB 372-Keaveny, with SCS (pending)
SB 80-Dixon, with SCS	SB 374-Schatz, with SCS
SB 91-Dixon, with SCS	SB 399-Onder
SBs 112, 212, 143 & 234-Dixon, with SCS	SB 400-Onder, with SS (pending)
SB 117-Brown, with SCS	SB 409-Wallingford, with SCS
SB 127-Brown, with SCS	SB 420-Schmitt
SB 130-Walsh and Schupp, with SCS	SB 424-Pearce, with SA 1 (pending)
SB 151-Sater	SB 427-Sifton, with SCS
SB 159-Parson	SB 432-Onder, with SCS
SB 167-Schaaf, with SCS	SB 442-Schaefer
SB 177-Munzlinger, with SCS	SBs 451, 307, 100 & 165-Dixon, with SCS
SB 220-Kehoe	SB 452-Schmitt, et al, with SA 1 & point of order (pending)
SB 225-Romine, with SCS	SB 455-Kehoe
SB 227-Emery, with SS (pending)	SB 469-Munzlinger
SB 232-Kehoe, with SCS (pending)	SB 471-Schaaf
SB 233-Kehoe, with SCS & SA 2 (pending)	SB 481-Onder, with SCS
SB 266-Schaefer, with SCS	SB 520-Kehoe, with SCS
SB 267-Schaefer, with SCS	SB 528-Sater
SB 268-Pearce, with SCS	SB 567-Chappelle-Nadal, et al
SB 286-Schaaf and Silvey	SJR 7-Richard and Wallingford
SB 299-Pearce	SJR 12-Onder, with SCS (pending)
SB 302-Riddle, with SCS (pending)	
SB 304-Keaveny, with SCS	

HOUSE BILLS ON THIRD READING

HCS for HB 33, with SCS (Parson)	HCS for HB 104 (Schaefer)
HB 64-Dugger (Cunningham)	HB 108-McCaherty (Dixon)

HCS for HB 112 (Wasson)	HCS for HB 635 (Dixon)
HCS for HB 119 (Wallingford)	HB 675-Rowden, with SS & SA 1 (pending)
HB 185-Love (Parson)	(Libla)
HB 190-Swan (Wallingford)	HB 684-Koenig (Dixon)
HB 210-Conway (104) (Kehoe)	HCS for HB 692, with SCS (Munzlinger)
HB 233-Franklin, with SCS (Parson)	HCS for HB 714 (Wallingford)
HB 271-Hoskins (Dixon)	HCS for HB 734, with SCS (Dixon)
HB 276-Cornejo, with SCS (Onder)	HCS for HB 777 (Kraus)
HCS for HB 299, with SCS (Kraus)	HCS for HB 796, with SCS (Sater)
HB 336-McGaugh (Kraus)	HB 808-Cornejo, with SCS (Hegeman)
HB 341-Dugger (Kraus)	HCS for HB 830, with SCS (Munzlinger)
HB 401-Fraker, with SCS (Sater)	HB 836-Ross (Libla)
HB 440-Koenig (Kraus)	HCS for HB 864 (Kehoe)
HCS for HB 478-Fitzwater (Wallingford)	HB 923-Miller, with SCS (Kehoe)
HB 494-Leara (Kehoe)	HCS for HB 926 (Cunningham)
HB 502-Kelley, with SCS (Kraus)	HCS for HB 976, with SCS (Riddle)
HB 523-Burlison, with SCS (Brown)	HB 982-Rowden (Pearce)
HB 529-Gosen, with SCS (Parson)	HB 1010-Brown (57) (Munzlinger)
HB 533-Dugger, with SCS (Wasson)	HCS for HB 1019, with SCS (Romine)
HCS for HB 538, with SCS (Brown)	HCS for HB 1058, with SCS (Brown)
(In Fiscal Oversight)	HCS for HB 1063 (Dixon)
HB 562-Davis (Wasson)	HCS for HB 1084 (Romine)
HCS for HBs 578, 574 & 584, with SCS	HB 1093-Houghton (Riddle)
(Riddle)	HB 1127-Johnson, with SCS (Hegeman)
HB 589-Hough, with SCS (Onder)	HJR 1-Dugger (Kraus)
HCS for HB 592 (Wasson)	HCS for HJR 34, with SCS (Schmitt)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 230-Romine, with HCS, as amended	SB 458-Sater, with HCS, as amended
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BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1, HA 2, as amended, HA 3, as amended & HA 4	SB 13-Munzlinger, with HCS, as amended (CCR Offered)
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SCS for SB 35-Wallingford, with HCS, as amended
 SS for SCS for SB 67-Cunningham, with HCS, as amended (Senate adopted CCR and passed CCS)
 SB 104-Kraus, with HCS, as amended (Senate adopted CCR#2 and passed CCS#2)
 SS for SCS for SB 115-Kraus, with HCS, as amended
 SCS for SB 152-Wallingford, with HCS, as amended (Senate adopted CCR#2 and passed CCS#2)
 SCS for SB 172-Romine, with HCS, as amended
 SCS for SB 210-Schaefer, with HCS, as amended
 SB 221-Schatz, with HCS
 SB 254-Kraus, with HCS, as amended (Senate adopted CCR#2 and passed CCS#2)
 SCS for SB 270-Nasheed, with HCS, as amended
 SS for SCS for SB 278-Schatz, with HCS, as amended (Senate requests House grant further conference)
 SB 282-Parson, with HCS, as amended

SB 283-Kehoe, with HCS, as amended
 SCS for SB 300-Silvey, with HCS, as amended
 SCS for SB 322-Dempsey, with HCS, as amended
 SCS for SB 328-Schupp, with HA 1 & HA 2
 SCS for SB 380-Wieland, with HCS, as amended
 SCS for SB 445-Romine, with HCS, as amended (Senate adopted CCR and passed CCS)
 SB 446-Schupp and Brown, with HA 1 & HA 2, as amended
 SCS for SB 473-Schaaf, with HCS, as amended
 HB 152-Haahr, with SCS, as amended (Onder)
 HB 458-Allen, with SS for SCS, as amended (Schmitt)
 HB 556-Wood, with SS for SCS, as amended (Riddle)
 HB 615-Dohrman, with SCS (Schatz)

Requests to Recede or Grant Conference

SCS for SB 326-Sater, with HCS, as amended (Senate requests House recede or grant conference)

RESOLUTIONS

SCS for SCR 30-Kehoe, with HCS

Reported from Committee

SCR 39-Dixon and Holsman
 SCR 40-Romine
 HCR 18-McCann (Curls)

HCR 26-Shull (Brown)
 HCS for HCR 32 (Romine)
 HCR 34-Rowland (Cunningham)

Journal of the Senate

FIRST REGULAR SESSION

SIXTY-SIXTH DAY—FRIDAY, MAY 8, 2015

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

President Kinder assumed the Chair.

Reverend Carl Gauck offered the following prayer:

“As the deer longs for the water brooks, so longs my soul for you, O God.” (Psalm 42:1)

O Lord, as we complete this next to last week we do so knowing that You have helped us all along the way and we give You thanks and praise. We pray that we may be with You as we travel to be with family and loved ones, and be found in Your house of prayer this weekend. For we need Your refreshing presence in our lives so we may be ready for whatever we face in the days ahead. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 1076, regarding Robin Batts, which was adopted.

Senator Romine offered Senate Resolution No. 1077, regarding Sharon House, which was adopted.

Senator Romine offered Senate Resolution No. 1078, regarding Juliann M. Jokerst, which was adopted.

Senator Romine offered Senate Resolution No. 1079, regarding Ronda Byers, Irondale, which was adopted.

Senator Romine offered Senate Resolution No. 1080, regarding Linda A. Huck, Farmington, which was adopted.

Senator LeVota offered Senate Resolution No. 1081, regarding Steve Broughton, Blue Springs, which was adopted.

REFERRALS

President Pro Tem Dempsey referred **HCS** for **HB 1066**, with **SCS** and **HCS** for **HB 444** to the Committee on Governmental Accountability and Fiscal Oversight.

HOUSE BILLS ON THIRD READING

At the request of Senator Dempsey, **HCS** for **HB 457** was placed on the Informal Calendar.

At the request of Senator Dixon, **HB 996** was placed on the Informal Calendar.

At the request of Senator Schatz, **HB 875**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Emery, **HB 1076** was placed on the Informal Calendar.

HCS for **HBs 671** and **683**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Hegeman, **HB 1039** was placed on the Informal Calendar.

At the request of Senator Wasson, **HCS** for **HB 844**, with **SCS** was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 115**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 115

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, with House Amendment Nos. 1, 3, 4, and 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended, House Amendment Nos. 7, 8, and 9, House Amendment No. 1 to House Amendment No. 10, House Amendment No. 10, as

amended, and House Amendment Nos. 11 and 12, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 115;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 115 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus
/s/ Bob Onder
/s/ Wayne Wallingford
/s/ Gina Walsh
/s/ Jill Schupp

FOR THE HOUSE:

/s/ Rocky Miller
/s/ Caleb Rowden
/s/ Andrew Koenig
/s/ Jon Carpenter
/s/ Michael Butler

Senator Onder assumed the Chair.

Senator Kraus moved that the above conference committee report be adopted.

At the request of Senator Kraus, the above motion was withdrawn.

On motion of Senator Richard the Senate recessed for 15 minutes.

RECESS

The time of recess having expired, the Senate was called to order by Senator Onder.

On motion of Senator Richard, the Senate adjourned until 4:00 p.m., Monday, May 11, 2015.

SENATE CALENDAR

SIXTY-SEVENTH DAY—MONDAY, MAY 11, 2015

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce

(In Fiscal Oversight)

SCS for SB 56-Munzlinger

(In Fiscal Oversight)

SS for SB 201-Dixon

(In Fiscal Oversight)

SB 203-Dixon (In Fiscal Oversight)

SB 352-Schaefer (In Fiscal Oversight)

SS for SB 540-Libla

(In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| 1. HCS for HB 882-McGaugh, with SCS
(Munzlinger) (In Fiscal Oversight) | 8. HB 218-Wilson, with SCS (Dixon)
(In Fiscal Oversight) |
| 2. HB 279-Cornejo, with SCS (Schmitt)
(In Fiscal Oversight) | 9. HCS for HB 117 (Dixon)
(In Fiscal Oversight) |
| 3. HB 100-Gosen, with SCS (Parson)
(In Fiscal Oversight) | 10. HB 101-Redmon (Libla)
(In Fiscal Oversight) |
| 4. HCS for HB 807, with SCS (Dixon)
(In Fiscal Oversight) | 11. HB 1305-Rowden (Schaefer)
(In Fiscal Oversight) |
| 5. HB 254-Crawford, with SCS (Parson)
(In Fiscal Oversight) | 12. HCS for HB 1002, with SCS (Kehoe)
(In Fiscal Oversight) |
| 6. HCS for HB 811, with SCS (Riddle)
(In Fiscal Oversight) | 13. HCS for HB 444 (Walsh)
(In Fiscal Oversight) |
| 7. HB 32-Hoskins (Pearce)
(In Fiscal Oversight) | 14. HCS for HB 1066, with SCS (Schaaf)
(In Fiscal Oversight) |

INFORMAL CALENDAR**THIRD READING OF SENATE BILLS**

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SB 17-Dixon | SB 159-Parson |
| SB 37-Romine, with SCS & SA 1 (pending) | SB 167-Schaaf, with SCS |
| SB 44-Nasheed, with SCS, SS for SCS &
SA 1 (pending) | SB 177-Munzlinger, with SCS |
| SB 46-Holsman | SB 220-Kehoe |
| SB 53-Schaaf, with SS#2 (pending) | SB 225-Romine, with SCS |
| SB 55-Munzlinger | SB 227-Emery, with SS (pending) |
| SB 59-Dixon | SB 232-Kehoe, with SCS (pending) |
| SB 69-LeVota, with SCS | SB 233-Kehoe, with SCS & SA 2 (pending) |
| SB 80-Dixon, with SCS | SB 266-Schaefer, with SCS |
| SB 91-Dixon, with SCS | SB 267-Schaefer, with SCS |
| SBs 112, 212, 143 & 234-Dixon, with SCS | SB 268-Pearce, with SCS |
| SB 117-Brown, with SCS | SB 286-Schaaf and Silvey |
| SB 127-Brown, with SCS | SB 299-Pearce |
| SB 130-Walsh and Schupp, with SCS | SB 302-Riddle, with SCS (pending) |
| SB 151-Sater | SB 304-Keaveny, with SCS |
| | SB 305-Onder |

SB 313-Wallingford, with SCS
SBs 331 & 21-Libla, with SCS & SS for
SCS (pending)
SB 339-Munzlinger, with SS (pending)
SB 358-Kehoe
SB 360-Parson, with SCS
SB 371-Munzlinger
SB 372-Keaveny, with SCS (pending)
SB 374-Schatz, with SCS
SB 399-Onder
SB 400-Onder, with SS (pending)
SB 409-Wallingford, with SCS
SB 420-Schmitt
SB 424-Pearce, with SA 1 (pending)
SB 427-Sifton, with SCS

SB 432-Onder, with SCS
SB 442-Schaefer
SBs 451, 307, 100 & 165-Dixon, with SCS
SB 452-Schmitt, et al, with SA 1 & point
of order (pending)
SB 455-Kehoe
SB 469-Munzlinger
SB 471-Schaaf
SB 481-Onder, with SCS
SB 520-Kehoe, with SCS
SB 528-Sater
SB 567-Chappelle-Nadal, et al
SJR 7-Richard and Wallingford
SJR 12-Onder, with SCS (pending)

HOUSE BILLS ON THIRD READING

HCS for HB 33, with SCS (Parson)
HB 64-Dugger (Cunningham)
HCS for HB 104 (Schaefer)
HB 108-McCaherty (Dixon)
HCS for HB 112 (Wasson)
HCS for HB 119 (Wallingford)
HB 185-Love (Parson)
HB 190-Swan (Wallingford)
HB 210-Conway (104) (Kehoe)
HB 233-Franklin, with SCS (Parson)
HB 271-Hoskins (Dixon)
HB 276-Cornejo, with SCS (Onder)
HCS for HB 299, with SCS (Kraus)
HB 336-McGaugh (Kraus)
HB 341-Dugger (Kraus)
HB 401-Fraker, with SCS (Sater)
HB 440-Koenig (Kraus)
HCS for HB 457 (Dempsey)
HCS for HB 478-Fitzwater (Wallingford)
HB 494-Leara (Kehoe)
HB 502-Kelley, with SCS (Kraus)
HB 523-Burlison, with SCS (Brown)

HB 529-Gosen, with SCS (Parson)
HB 533-Dugger, with SCS (Wasson)
HCS for HB 538, with SCS (Brown)
(In Fiscal Oversight)
HB 562-Davis (Wasson)
HCS for HBs 578, 574 & 584, with SCS
(Riddle)
HB 589-Hough, with SCS (Onder)
HCS for HB 592 (Wasson)
HCS for HB 635 (Dixon)
HCS for HBs 671 & 683, with SCS
HB 675-Rowden, with SS & SA 1 (pending)
(Libla)
HB 684-Koenig (Dixon)
HCS for HB 692, with SCS (Munzlinger)
HCS for HB 714 (Wallingford)
HCS for HB 734, with SCS (Dixon)
HCS for HB 777 (Kraus)
HCS for HB 796, with SCS (Sater)
HB 808-Cornejo, with SCS (Hegeman)
HCS for HB 830, with SCS (Munzlinger)
HB 836-Ross (Libla)

HCS for HB 844, with SCS (Wasson)
 HCS for HB 864 (Kehoe)
 HB 875-Hinson, with SCS (Schatz)
 HB 923-Miller, with SCS (Kehoe)
 HCS for HB 926 (Cunningham)
 HCS for HB 976, with SCS (Riddle)
 HB 982-Rowden (Pearce)
 HB 996-Hoskins (Dixon)
 HB 1010-Brown (57) (Munzlinger)
 HCS for HB 1019, with SCS (Romine)

HB 1039-Dugger (Hegeman)
 HCS for HB 1058, with SCS (Brown)
 HCS for HB 1063 (Dixon)
 HB 1076-Brown (57) (Emery)
 HCS for HB 1084 (Romine)
 HB 1093-Houghton (Riddle)
 HB 1127-Johnson, with SCS (Hegeman)
 HJR 1-Dugger (Kraus)
 HCS for HJR 34, with SCS (Schmitt)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 230-Romine, with HCS, as
 amended

SB 458-Sater, with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1,
 HA 2, as amended, HA 3, as
 amended & HA 4
 SB 13-Munzlinger, with HCS, as amended
 (CCR offered)
 SCS for SB 35-Wallingford, with HCS, as
 amended
 SS for SCS for SB 67-Cunningham, with
 HCS, as amended
 (Senate adopted CCR and passed CCS)
 SB 104-Kraus, with HCS, as amended
 (Senate adopted CCR#2 and passed CCS#2)
 SS for SCS for SB 115-Kraus, with HCS,
 as amended (CCR offered)
 SCS for SB 152-Wallingford, with HCS, as
 amended
 (Senate adopted CCR#2 and passed CCS#2)
 SCS for SB 172-Romine, with HCS, as
 amended

SCS for SB 210-Schaefer, with HCS, as
 amended
 SB 221-Schatz, with HCS
 SB 254-Kraus, with HCS, as amended
 (Senate adopted CCR#2 and passed CCS#2)
 SCS for SB 270-Nasheed, with HCS, as
 amended
 SS for SCS for SB 278-Schatz, with HCS,
 as amended (Senate requests House grant
 further conference)
 SB 282-Parson, with HCS, as amended
 SB 283-Kehoe, with HCS, as amended
 SCS for SB 300-Silvey, with HCS, as
 amended
 SCS for SB 322-Dempsey, with HCS, as
 amended
 SCS for SB 328-Schupp, with HA 1 & HA 2
 SCS for SB 380-Wieland, with HCS, as
 amended

SCS for SB 445-Romine, with HCS, as amended
(Senate adopted CCR and passed CCS)
SB 446-Schupp and Brown, with HA 1 & HA 2, as amended
SCS for SB 473-Schaaf, with HCS, as amended

HB 152-Haahr, with SCS, as amended (Onder)
HB 458-Allen, with SS for SCS, as amended (Schmitt)
HB 556-Wood, with SS for SCS, as amended (Riddle)
HB 615-Dohrman, with SCS (Schatz)

Requests to Recede or Grant Conference

SCS for SB 326-Sater, with HCS, as amended (Senate requests House recede or grant conference)

RESOLUTIONS

SCS for SCR 30-Kehoe, with HCS

Reported from Committee

SCR 39-Dixon and Holsman
SCR 40-Romine
HCR 18-McCann (Curls)

HCR 26-Shull (Brown)
HCS for HCR 32 (Romine)
HCR 34-Rowland (Cunningham)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-SEVENTH DAY—MONDAY, MAY 11, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“And the bow shall be in the cloud; and I will look upon it, that I may remember the everlasting covenant between God and every living creature of all flesh that is upon the earth.” (Genesis 9:16)

Lord God, it was good to see the sun this morning after the needed rain that nourishes the earth. And, for many we saw the rainbow and its affirmation of Your promise and love for us Your children. May the bow’s beauty remind us and help us enjoy and see all that You created is beautiful, including us. And, may the refreshing sight energize us to tackle all that is before us this final week. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Photographers from Jefferson City News Tribune were given permission to take pictures in the Senate Chamber.

The Journal for Friday, May 8, 2015, was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 1082, regarding the death of William T. Lohmar Jr., St. Charles, which was adopted.

Senator Sifton offered Senate Resolution No. 1083, regarding William King, St. Louis, which was adopted.

Senator Pearce offered Senate Resolution No. 1084, regarding the One Hundred Seventy-fifth Anniversary of St. Paul's Lutheran Church, Concordia, which was adopted.

Senators Kehoe and Dempsey offered Senate Resolution No. 1085, regarding Ronda L. Stegmann, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1086, regarding Diane Juergensmeyer, which was adopted.

Senator Hegeman offered Senate Resolution No. 1087, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Lawrence Ginther, Stanberry, which was adopted.

Senator Holsman offered Senate Resolution No. 1088, regarding Patricia M. Jones, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1089, regarding Rose Ann Harris, which was adopted.

Senator Sater offered Senate Resolution No. 1090, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Charles Langston, La Russell, which was adopted.

Senator Sater offered Senate Resolution No. 1091, regarding the Seventy-fifth Birthday of Patricia Ella "Pat" Meeth McPherson Tracy, Mt. Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 1092, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Denver Rose, Cassville, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HB 458**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HB 458**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to grant further conference on **HCS** for **SS** for **SCS** for **SB 278**, as amended, and requests the Senate to take up and adopt the Conference Committee Report on **HCS** for **SS** for **SCS** for **SB 278**, as amended, and take up and pass **CCS** for **HCS** for **SS** for **SCS** for **SB 278**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HB 152**, as amended, and has taken

up and passed **CCS** for **SCS** for **HB 152**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 326**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **HCS** for **HB 137**, as amended.

Emergency clause adopted.

On motion of Senator Richard, the Senate recessed until 6:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kinder.

President Pro Tem Dempsey assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Parson, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HBs 116** and **569**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

INTRODUCTIONS OF GUESTS

Senator Brown introduced to the Senate, one hundred-eighteen fourth grade students from Mark Twain Elementary School, Rolla; and Josh Heavin, Adalie Lauth, Madison Dishman, Alekos Harvis, Luke Foster, Grant Green and Jessica Pritchett were made honorary pages.

Senator Schmitt introduced to the Senate, his daughters, Sophia and Olivia; and Sophia and Olivia were made honorary pages.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-EIGHTH DAY—TUESDAY, MAY 12, 2015

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)

SCS for SB 56-Munzlinger
(In Fiscal Oversight)

SS for SB 201-Dixon (In Fiscal Oversight)
 SB 203-Dixon (In Fiscal Oversight)

SB 352-Schaefer (In Fiscal Oversight)
 SS for SB 540-Libla (In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| 1. HCS for HB 882-McGaugh, with SCS
(Munzlinger) (In Fiscal Oversight) | 9. HCS for HB 117 (Dixon)
(In Fiscal Oversight) |
| 2. HB 279-Cornejo, with SCS (Schmitt)
(In Fiscal Oversight) | 10. HB 101-Redmon (Libla)
(In Fiscal Oversight) |
| 3. HB 100-Gosen, with SCS (Parson)
(In Fiscal Oversight) | 11. HB 1305-Rowden (Schaefer)
(In Fiscal Oversight) |
| 4. HCS for HB 807, with SCS (Dixon)
(In Fiscal Oversight) | 12. HCS for HB 1002, with SCS (Kehoe)
(In Fiscal Oversight) |
| 5. HB 254-Crawford, with SCS (Parson)
(In Fiscal Oversight) | 13. HCS for HB 444 (Walsh)
(In Fiscal Oversight) |
| 6. HCS for HB 811, with SCS (Riddle)
(In Fiscal Oversight) | 14. HCS for HB 1066, with SCS (Schaaf)
(In Fiscal Oversight) |
| 7. HB 32-Hoskins (Pearce)
(In Fiscal Oversight) | 15. HCS for HBs 116 & 569, with SCS
(Brown) |
| 8. HB 218-Wilson, with SCS (Dixon)
(In Fiscal Oversight) | |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SB 17-Dixon | SB 151-Sater |
| SB 37-Romine, with SCS & SA 1 (pending) | SB 159-Parson |
| SB 44-Nasheed, with SCS, SS for SCS &
SA 1 (pending) | SB 167-Schaaf, with SCS |
| SB 46-Holsman | SB 177-Munzlinger, with SCS |
| SB 53-Schaaf, with SS#2 (pending) | SB 220-Kehoe |
| SB 55-Munzlinger | SB 225-Romine, with SCS |
| SB 59-Dixon | SB 227-Emery, with SS (pending) |
| SB 69-LeVota, with SCS | SB 232-Kehoe, with SCS (pending) |
| SB 80-Dixon, with SCS | SB 233-Kehoe, with SCS & SA 2 (pending) |
| SB 91-Dixon, with SCS | SB 266-Schaefer, with SCS |
| SBs 112, 212, 143 & 234-Dixon, with SCS | SB 267-Schaefer, with SCS |
| SB 117-Brown, with SCS | SB 268-Pearce, with SCS |
| SB 127-Brown, with SCS | SB 286-Schaaf and Silvey |
| SB 130-Walsh and Schupp, with SCS | SB 299-Pearce |
| | SB 302-Riddle, with SCS (pending) |

SB 304-Keaveny, with SCS
SB 305-Onder
SB 313-Wallingford, with SCS
SBs 331 & 21-Libla, with SCS & SS for
SCS (pending)
SB 339-Munzlinger, with SS (pending)
SB 358-Kehoe
SB 360-Parson, with SCS
SB 371-Munzlinger
SB 372-Keaveny, with SCS (pending)
SB 374-Schatz, with SCS
SB 399-Onder
SB 400-Onder, with SS (pending)
SB 409-Wallingford, with SCS
SB 420-Schmitt
SB 424-Pearce, with SA 1 (pending)

SB 427-Sifton, with SCS
SB 432-Onder, with SCS
SB 442-Schaefer
SBs 451, 307, 100 & 165-Dixon, with SCS
SB 452-Schmitt, et al, with SA 1 & point
of order (pending)
SB 455-Kehoe
SB 469-Munzlinger
SB 471-Schaaf
SB 481-Onder, with SCS
SB 520-Kehoe, with SCS
SB 528-Sater
SB 567-Chappelle-Nadal, et al
SJR 7-Richard and Wallingford
SJR 12-Onder, with SCS (pending)

HOUSE BILLS ON THIRD READING

HCS for HB 33, with SCS (Parson)
HB 64-Dugger (Cunningham)
HCS for HB 104 (Schaefer)
HB 108-McCaherty (Dixon)
HCS for HB 112 (Wasson)
HCS for HB 119 (Wallingford)
HB 185-Love (Parson)
HB 190-Swan (Wallingford)
HB 210-Conway (104) (Kehoe)
HB 233-Franklin, with SCS (Parson)
HB 271-Hoskins (Dixon)
HB 276-Cornejo, with SCS (Onder)
HCS for HB 299, with SCS (Kraus)
HB 336-McGaugh (Kraus)
HB 341-Dugger (Kraus)
HB 401-Fraker, with SCS (Sater)
HB 440-Koenig (Kraus)
HCS for HB 457 (Dempsey)
HCS for HB 478-Fitzwater (Wallingford)
HB 494-Leara (Kehoe)
HB 502-Kelley, with SCS (Kraus)
HB 523-Burlison, with SCS (Brown)
HB 529-Gosen, with SCS (Parson)
HB 533-Dugger, with SCS (Wasson)

HCS for HB 538, with SCS (Brown)
(In Fiscal Oversight)
HB 562-Davis (Wasson)
HCS for HBs 578, 574 & 584, with SCS
(Riddle)
HB 589-Hough, with SCS (Onder)
HCS for HB 592 (Wasson)
HCS for HB 635 (Dixon)
HCS for HBs 671 & 683, with SCS (Onder)
HB 675-Rowden, with SS & SA 1 (pending)
(Libla)
HB 684-Koenig (Dixon)
HCS for HB 692, with SCS (Munzlinger)
HCS for HB 714 (Wallingford)
HCS for HB 734, with SCS (Dixon)
HCS for HB 777 (Kraus)
HCS for HB 796, with SCS (Sater)
HB 808-Cornejo, with SCS (Hegeman)
HCS for HB 830, with SCS (Munzlinger)
HB 836-Ross (Libla)
HCS for HB 844, with SCS (Wasson)
HCS for HB 864 (Kehoe)
HB 875-Hinson, with SCS (Schatz)
HB 923-Miller, with SCS (Kehoe)

HCS for HB 926 (Cunningham)
 HCS for HB 976, with SCS (Riddle)
 HB 982-Rowden (Pearce)
 HB 996-Hoskins (Dixon)
 HB 1010-Brown (57) (Munzlinger)
 HCS for HB 1019, with SCS (Romine)
 HB 1039-Dugger (Hegeman)
 HCS for HB 1058, with SCS (Brown)

HCS for HB 1063 (Dixon)
 HB 1076-Brown (57) (Emery)
 HCS for HB 1084 (Romine)
 HB 1093-Houghton (Riddle)
 HB 1127-Johnson, with SCS (Hegeman)
 HJR 1-Dugger (Kraus)
 HCS for HJR 34, with SCS (Schmitt)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 230-Romine, with HCS, as amended

SB 458-Sater, with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1, HA 2, as amended, HA 3, as amended & HA 4
 SB 13-Munzlinger, with HCS, as amended (CCR offered)
 SCS for SB 35-Wallingford, with HCS, as amended
 SS for SCS for SB 67-Cunningham, with HCS, as amended (Senate adopted CCR and passed CCS)
 SB 104-Kraus, with HCS, as amended (Senate adopted CCR#2 and passed CCS#2)
 SS for SCS for SB 115-Kraus, with HCS, as amended (CCR offered)
 SCS for SB 152-Wallingford, with HCS, as amended (Senate adopted CCR#2 and passed CCS#2)
 SCS for SB 172-Romine, with HCS, as amended
 SCS for SB 210-Schaefer, with HCS, as amended
 SB 221-Schatz, with HCS
 SB 254-Kraus, with HCS, as amended (Senate adopted CCR#2 and passed CCS#2)

SCS for SB 270-Nasheed, with HCS, as amended
 SS for SCS for SB 278-Schatz, with HCS, as amended
 (House requests Senate take up and adopt CCR and pass CCS)
 SB 282-Parson, with HCS, as amended
 SB 283-Kehoe, with HCS, as amended
 SCS for SB 300-Silvey, with HCS, as amended
 SCS for SB 322-Dempsey, with HCS, as amended
 SCS for SB 326-Sater, with HCS, as amended
 SCS for SB 328-Schupp, with HA 1 & HA 2
 SCS for SB 380-Wieland, with HCS, as amended
 SCS for SB 445-Romine, with HCS, as amended
 (Senate adopted CCR and passed CCS)
 SB 446-Schupp and Brown, with HA 1 & HA 2, as amended
 SCS for SB 473-Schaaf, with HCS, as amended

HB 152-Haahr, with SCS, as amended
(Onder)
(House adopted CCR and passed CCS)
HB 458-Allen, with SS for SCS, as
amended (Schmitt)
(House adopted CCR and passed CCS)

HB 556-Wood, with SS for SCS, as amended
(Riddle)
HB 615-Dohrman, with SCS (Schatz)

RESOLUTIONS

SCS for SCR 30-Kehoe, with HCS

Reported from Committee

SCR 39-Dixon and Holsman
SCR 40-Romine
HCR 18-McCann (Curls)

HCR 26-Shull (Brown)
HCS for HCR 32 (Romine)
HCR 34-Rowland (Cunningham)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-EIGHTH DAY—TUESDAY, MAY 12, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“Come and see what God has done; he is awesome in his deeds among mortals.”(Psalm 66:5)

Almighty God may our faith be strong today. May we have hope of life with You beyond this life and may it be meaningful now. We know there is meaning in the choices we make, our relationships, our work here and at home. Help us see that everything we do, say and act on matters and, therefore, it is all important to You and should be for us. Help us Lord, even in the toughest moments, to be mindful of Your expectations of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Photographers from KRCG-TV, Jefferson City News Tribune, Missouri.net, KOMU-TV, ABC17 News and Missouri Digital News were given permission to take pictures in the Senate Chamber.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 1093, regarding James Deadrick, Springfield, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1094, regarding Central Elementary School in the Ferguson-Florissant R-II School District, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1095, regarding Mary Ann Goldberg, which was adopted.

Senator Holsman offered Senate Resolution No. 1096, regarding the Kansas City Marriott Downtown, which was adopted.

Senator Wieland offered Senate Resolution No. 1097, regarding Connie Stretch, Dittmer, which was adopted.

Senator Kehoe offered Senate Resolution No. 1098, regarding Theresa Struempf, Saint Elizabeth, which was adopted.

Senator Hegeman offered Senate Resolution No. 1099, regarding Matthew T. Jones, which was adopted.

Senator Brown offered Senate Resolution No. 1100, regarding the Honorable David Gregory Warren, Richland, which was adopted.

Senator Holsman offered Senate Resolution No. 1101, regarding Ingrid Yvonne Burnett, which was adopted.

HOUSE BILLS ON THIRD READING

HCS for HBs 116 and 569, with **SCS**, entitled:

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations.

Was taken up by Senator Brown.

SCS for HCS for HBs 116 and 569, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 116 and 569

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

Was taken up.

Senator Brown moved that **SCS for HCS for HBs 116 and 569** be adopted.

Senator Brown offered **SS for SCS for HCS for HBs 116 and 569**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 116 and 569

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations,

with penalty provisions.

Senator Brown moved that **SS** for **SCS** for **HCS** for **HBs 116** and **569** be adopted.

Senator Brown offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 569, Page 1, Section A, Line 3 of said page, by inserting after all of said line the following:

“105.504. 1. No sum shall be withheld from the earnings of any employee for the purposes of paying any portion of dues, agency shop fees, or any other fees paid by employee members of a labor organization, or employees who are not members except upon the annual written authorization of the employee member, or the employee who is not a member, received on a form described by subsection 2 of this section.

2. The authorization referred to in subsection 1 of this section shall be made on the following form, the sole purpose of which is the documentation of such authorization. The form’s title shall read, in at least twenty-four point bold type, “Consent for Withholding Union Dues/Fees” and shall state in at least fourteen-point bold type, the following specific text:

“Signing this form authorizes the amount of \$..... to be withheld from your monthly earnings and allocated to your labor organization as a portion of your dues, agency shop fees, or other fee payments for the next twelve months. You are not obligated to sign this authorization. Your signature below is completely voluntary and cannot in any way affect your employment.”

3. No labor organization shall use or obtain any portion of dues, agency shop fees, or any other fees paid by employee members of the labor organization, or employees who are not members, to make contributions or expenditures as defined in section 130.011, except upon the written authorization of such member or non member, received within the previous twelve months on a form described by subsection 4 of this section signed by such member or non member and an officer of the union.

4. The authorization referred to in subsection 3 of this section shall be made on the following form, the sole purpose of which is the documentation of such authorization. The form’s title shall read, in at least twenty-four point bold type, “Consent for Political Use of Dues/Fees”, and shall state in at least fourteen point bold type, the following specific text:

- ☐ **“Signing this form authorizes your union to use the amount of \$..... from each of your dues or agency shop fee payments during the next twelve months as a political contribution or expenditure.”**
- ☐ **“Signing this form requests your union to use the amount of \$..... from each of your dues or agency shop fee payments during the next twelve months as a political contribution to a continuing committee formed by your labor organization.**

Check applicable box.

You are not obligated to sign this authorization. Your signature below is completely voluntary and cannot in any way affect your employment.”

5. Any labor organization that uses any portion of dues, agency shop fees, or other fees to make contributions or expenditures under subsection 3 of this section shall maintain records that include a copy of each authorization obtained under subsection 4 of this section, the amounts and dates funds were actually transferred, the amounts and dates funds were transferred to the labor organization's continuing committee. Records maintained under this subsection shall not include the employee's home address or telephone number.

6. Copies of all records maintained under subsection 5 of this section shall be sent to the labor and industrial relations commission established under section 286.005.

7. Individuals who do not authorize contributions or expenditures under subsection 3 of this section shall not have their dues, agency shop fees, or other fees increased in lieu of contribution or expenditure.

8. The requirements of this section shall not be waived by the member or non member and waiver of the requirements shall not be made a condition of employment or continued employment.

9. Signing or refraining from signing the authorizations referred to in subsections 2 or 4 of this section shall not be made a condition of employment or continued employment.

10. For the purposes of this section, "agency shop" means an arrangement that requires an employee, as a condition of continued employment, either to join the recognized employee organization, or to pay the organization a service fee.

11. For the purposes of this section, "labor organization" includes any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining or dealing with employers concerning grievances, terms, or conditions of employment, or of other mutual aid or protection."; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted.

Senator Brown offered SSA 1 for SA 1:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 569, Page 1, Section A, Line 3 of said page, striking all of said lines and inserting in lieu thereof the following:

"105.504. 1. No sum shall be withheld from the earnings of any public employee for the purposes of paying any portion of dues, agency shop fees, or any other fees paid by public employee members of a public labor organization, or public employees who are not members except upon the annual written authorization of the public employee member, or the public employee who is not a member, received on a form described by subsection 2 of this section.

2. The authorization referred to in subsection 1 of this section shall be made on the following form, the sole purpose of which is the documentation of such authorization. The form's title shall read, in at least twenty-four point bold type, "Consent for Withholding Union Dues/Fees" and shall state in at least fourteen-point bold type, the following specific text:

“Signing this form authorizes the amount of \$..... to be withheld from your monthly earnings and allocated to your labor organization as a portion of your dues, agency shop fees, or other fee payments for the next twelve months. You are not obligated to sign this authorization. Your signature below is completely voluntary and cannot in any way affect your employment.”

3. No public labor organization shall use or obtain any portion of dues, agency shop fees, or any other fees paid by public employee members of the labor organization, or public employees who are not members, to make contributions or expenditures as defined in section 130.011, except upon the written authorization of such member or non member, received within the previous twelve months on a form described by subsection 4 of this section signed by such member or non member and an officer of the union.

4. The authorization referred to in subsection 3 of this section shall be made on the following form, the sole purpose of which is the documentation of such authorization. The form’s title shall read, in at least twenty-four point bold type, “Consent for Political Use of Dues/Fees”, and shall state in at least fourteen point bold type, the following specific text:

- ☐ **“Signing this form authorizes your union to use the amount of \$..... from each of your dues or agency shop fee payments during the next twelve months as a political contribution or expenditure.”**
- ☐ **“Signing this form requests your union to use the amount of \$..... from each of your dues or agency shop fee payments during the next twelve months as a political contribution to a continuing committee formed by your public labor organization.**

Check applicable box.

You are not obligated to sign this authorization. Your signature below is completely voluntary and cannot in any way affect your employment.”

5. Any public labor organization that uses any portion of dues, agency shop fees, or other fees to make contributions or expenditures under subsection 3 of this section shall maintain records that include a copy of each authorization obtained under subsection 4 of this section, the amounts and dates funds were actually transferred, the amounts and dates funds were transferred to the public labor organization’s continuing committee. Records maintained under this subsection shall not include the employee’s home address or telephone number.

6. Copies of all records maintained under subsection 5 of this section shall be sent to the labor and industrial relations commission established under section 286.005.

7. Individuals who do not authorize contributions or expenditures under subsection 3 of this section shall not have their dues, agency shop fees, or other fees increased in lieu of contribution or expenditure.

8. The requirements of this section shall not be waived by the member or non member and waiver of the requirements shall not be made a condition of employment or continued employment.

9. Signing or refraining from signing the authorizations referred to in subsections 2 or 4 of this section shall not be made a condition of employment or continued employment.

10. For the purposes of this section, “agency shop” means an arrangement that requires an employee, as a condition of continued employment, either to join the recognized employee organization, or to pay the organization a service fee.

11. For the purposes of this section, “public labor organization” includes any organization which exists and is constituted for the purpose, in whole or in part, of collective bargaining or dealing with public employers concerning grievances, terms, or conditions of employment, or of other mutual aid or protection.”; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above substitute amendment be adopted.

Senator Brown offered **SA 1** to **SSA 1** for **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 116 and 569, Page 4, Section 290.590, Line 6 of said amendment page, by inserting after all of said line the following:

“12. This section shall not apply to first responders as defined under subdivision (3) of section 192.800 or any labor organization that represents such an individual.”.

Senator Brown moved that the above amendment be adopted.

Senator Keaveny requested a roll call vote be taken on the adoption of **SA 1** to **SSA 1** for **SA 1** to **SS** for **SCS** for **HCS** for **HBs 116** and **569**. He was joined in his request by Senators Nasheed, Schupp, Sifton and Walsh.

Senator Kehoe assumed the Chair.

President Kinder assumed the Chair.

Senator Kehoe assumed the Chair.

President Kinder assumed the Chair.

Senator Pearce assumed the Chair.

President Kinder assumed the Chair.

President Pro Tem Dempsey assumed the Chair.

President Kinder assumed the Chair.

At the request of Senator Brown, **SS** for **SCS** for **HCS** for **HBs 116** and **569** was withdrawn, rendering **SA 1** to **SSA 1** for **SA 1**, **SSA 1** for **SA 1** and **SA 1** moot.

SCS for **HCS** for **HBs 116** and **569** was again taken up.

Senator Brown moved that **SCS** for **HCS** for **HBs 116** and **569** be adopted and submitted the following privileged motion:

Motion for Previous Question - Pursuant to Rule 84 of the Missouri Senate:

Shall the Main question be now put?

Signed:

/s/ Dan W. Brown

/s/ Ron Richard

/s/ Mike Kehoe

/s/ Bob Onder

/s/ Ed Emery

/s/ Brian Munzlinger

/s/ Jay Wasson

/s/ Will Kraus

/s/ Dave Schatz

/s/ David Sater

/s/ Mike Cunningham

/s/ Kurt Schaefer

/s/ Eric Schmitt

/s/ David Pearce

Senator Sifton submitted the following privileged motion in writing:

Mr. President, I move the Senate stand adjourned sine die.

Senator Sifton submitted the following privileged motion in writing:

Mr. President, I have a substitute motion: I move the Senate stand adjourned until 5:59 pm on Friday, May 15th, 2015.

Senator Sifton submitted the following privileged motion in writing:

Mr. President, I wish to amend my substitute motion: I move that “until 5:59 pm on Friday, May 15th, 2015” be deleted and insert in lieu thereof: “under the rules”.

Senator Brown raised the point of order that his current privileged motion supercedes any other privileged motion. The point of order was referred to the President Pro Tem, who ruled it well taken.

The motion to move the previous question was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Kraus	Libla	Munzlinger
Onder	Parson	Pearce	Richard	Riddle	Sater	Schaaf	Schaefer
Schatz	Schmitt	Wasson—19					

NAYS—Senators

Chappelle-Nadal	Curls	Dempsey	Dixon	Keaveny	LeVota	Nasheed	Romine
Schupp	Sifton	Silvey	Wallingford	Walsh	Wieland—14		

Absent—Senator Holsman—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Brown, **SCS** for **HCS** for **HBs 116** and **569** was adopted.

Senator Brown moved that **SCS** for **HCS** for **HBs 116** and **569** be read the 3rd time and finally passed and submitted the following privileged motion:

Motion for Previous Question - Pursuant to Rule 84 of the Missouri Senate:

Shall the Main question be now put?

Signed:

/s/ Dan W. Brown

/s/ Mike Kehoe

/s/ Ed Emery

/s/ Jay Wasson

/s/ Dave Schatz

/s/ Mike Cunningham

/s/ Eric Schmitt

/s/ Ron Richard

/s/ Bob Onder

/s/ Brian Munzlinger

/s/ Will Kraus

/s/ David Sater

/s/ Kurt Schaefer

/s/ David Pearce

Senator Sifton moved that the Senate adjourn sine die.

Senator Sifton offered a substitute motion that the Senate adjourn until 5:59 p.m., Friday, May 15, 2015.

Senator Sifton offered an amendment to the substitute motion to adjourn under the rules.

Senator Brown raised the point of order that his current privileged motion supercedes any other privileged motion. The point of order was referred to the President Pro Tem, who ruled it well taken.

The motion to move the previous question was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Kraus	Libla	Munzlinger
Onder	Parson	Pearce	Richard	Riddle	Sater	Schaaf	Schaefer
Schatz	Schmitt	Wallingford	Wasson—20				

NAYS—Senators

Chappelle-Nadal	Curls	Dempsey	Dixon	Keaveny	LeVota	Nasheed	Romine
Schupp	Sifton	Silvey	Walsh	Wieland—13			

Absent—Senator Holsman—1

Absent with leave—Senators—None

Vacancies—None

SCS for HCS for HBs 116 and 569 was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Sater	Schaaf
Schaefer	Schatz	Schmitt	Wallingford	Wasson—21			

NAYS—Senators

Chappelle-Nadal	Curls	Dempsey	Holsman	Keaveny	LeVota	Nasheed	Romine
Schupp	Sifton	Silvey	Walsh	Wieland—13			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

Senator Brown moved the title be agreed to.

Senator Sifton objected.

Senator Brown submitted the following privileged motion:

Motion for Previous Question - Pursuant to Rule 84 of the Missouri Senate:

Shall the Main question be now put?

Signed:

/s/ Dan Brown

/s/ Brian Munzlinger

/s/ Bob Onder

/s/ Mike Cunningham

/s/ Jay Wasson

Senator Sifton moved pursuant to Senate Rule 73 that the Senate adjourn sine die.

Senator Brown raised the point of order that there is a privileged motion before the body that deals with the title of a bill and it supercedes any motions at this time. The point of order was referred to the President Pro Tem, who ruled it well taken.

The motion to move the previous question was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Kraus	Libla	Munzlinger
Onder	Parson	Pearce	Richard	Riddle	Sater	Schaaf	Schaefer
Schatz	Schmitt	Wallingford	Wasson—20				

NAYS—Senators

Chappelle-Nadal	Curls	Dempsey	Dixon	Holsman	Keaveny	LeVota	Nasheed
Romine	Schupp	Sifton	Silvey	Walsh	Wieland—14		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Schaaf moved that the bill lay on the table. The President stated the motion was untimely, therefore he was not recognized for that purpose.

Senator Sifton requested a roll call vote be taken on Senator Brown's motion that the title be agreed to. He was joined in his request by Senators Curls, Nasheed, LeVota and Walsh.

The title to **SCS** for **HCS** for **HBs 116** and **569** was agreed to by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Sater
Schaefer	Schatz	Schmitt	Wallingford	Wasson—21			

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	LeVota	Nasheed	Romine	Schaaf
Schupp	Sifton	Silvey	Walsh	Wieland—13			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table.

Senator LeVota requested a roll call vote be taken on Senator Richard's motion. He was joined in his request by Senators Chappelle-Nadal, Sifton, Keaveny and Walsh.

Senator Richard's motion was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Sater	Schaaf
Schaefer	Schatz	Schmitt	Wallingford	Wasson—21			

NAYS—Senators

Chappelle-Nadal	Curls	Dempsey	Holsman	Keaveny	LeVota	Nasheed	Romine
Schupp	Sifton	Silvey	Walsh	Wieland—13			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Sifton moved that the Senate stand adjourned sine die.

Senator Sifton offered a substitute motion that the Senate stand adjourned pursuant to the Rules.

Senator Sifton offered an amendment to the substitute motion that "pursuant to the Rules" be deleted and insert in lieu thereof: "5:59 pm, Friday, May 15, 2015".

Senator Richard raised the point of order that a motion to adjourn is non-debatable.

At the request of Senator Richard, the point of order was withdrawn.

Senator Richard raised the point of order that a motion to adjourn is not amendable.

The point of order was referred to the President Pro Tem, who ruled that an adjournment motion is not debatable so it is unamendable; therefore ruling the point of order well taken, placing the motion to adjourn sine die before the body.

Senator Sifton requested a roll call vote be taken on the motion to adjourn sine die. He was joined in his request by Senators Keaveny, Schupp and Walsh.

The motion to adjourn sine die failed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Keaveny	LeVota	Nasheed	Schupp
Sifton	Walsh—10						

NAYS—Senators

Brown	Cunningham	Dempsey	Emery	Hegeman	Kehoe	Kraus	Libla
Munzlinger	Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford	Wasson	Wieland—24

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Richard moved that the Senate adjourn under the rules. Senator LeVota requested a roll call vote be taken. He was joined in his request by Senators Holsman, Keaveny, Sifton and Walsh.

The motion to adjourn under rules was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Emery	Hegeman	Holsman	Kehoe
Kraus	Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wasson
Wieland—25							

NAYS—Senators

Chappelle-Nadal	Curls	Keaveny	LeVota	Nasheed	Schupp	Sifton	Wallingford
Walsh—9							

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

SENATE CALENDAR

SIXTY-NINTH DAY—WEDNESDAY, MAY 13, 2015

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)

SCS for SB 56-Munzlinger
(In Fiscal Oversight)

SS for SB 201-Dixon
 (In Fiscal Oversight)
 SB 203-Dixon (In Fiscal Oversight)

SB 352-Schaefer (In Fiscal Oversight)
 SS for SB 540-Libla
 (In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| 1. HCS for HB 882-McGaugh, with SCS
(Munzlinger) (In Fiscal Oversight) | 8. HB 218-Wilson, with SCS (Dixon)
(In Fiscal Oversight) |
| 2. HB 279-Cornejo, with SCS (Schmitt)
(In Fiscal Oversight) | 9. HCS for HB 117 (Dixon)
(In Fiscal Oversight) |
| 3. HB 100-Gosen, with SCS (Parson)
(In Fiscal Oversight) | 10. HB 101-Redmon (Libla)
(In Fiscal Oversight) |
| 4. HCS for HB 807, with SCS (Dixon)
(In Fiscal Oversight) | 11. HB 1305-Rowden (Schaefer)
(In Fiscal Oversight) |
| 5. HB 254-Crawford, with SCS (Parson)
(In Fiscal Oversight) | 12. HCS for HB 1002, with SCS (Kehoe)
(In Fiscal Oversight) |
| 6. HCS for HB 811, with SCS (Riddle)
(In Fiscal Oversight) | 13. HCS for HB 444 (Walsh)
(In Fiscal Oversight) |
| 7. HB 32-Hoskins (Pearce)
(In Fiscal Oversight) | 14. HCS for HB 1066, with SCS (Schaaf)
(In Fiscal Oversight) |

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

SB 17-Dixon	SB 91-Dixon, with SCS
SB 37-Romine, with SCS & SA 1 (pending)	SBs 112, 212, 143 & 234-Dixon, with SCS
SB 44-Nasheed, with SCS, SS for SCS & SA 1 (pending)	SB 117-Brown, with SCS
SB 46-Holsman	SB 127-Brown, with SCS
SB 53-Schaaf, with SS#2 (pending)	SB 130-Walsh and Schupp, with SCS
SB 55-Munzlinger	SB 151-Sater
SB 59-Dixon	SB 159-Parson
SB 69-LeVota, with SCS	SB 167-Schaaf, with SCS
SB 80-Dixon, with SCS	SB 177-Munzlinger, with SCS
	SB 220-Kehoe

SB 225-Romine, with SCS	SB 399-Onder
SB 227-Emery, with SS (pending)	SB 400-Onder, with SS (pending)
SB 232-Kehoe, with SCS (pending)	SB 409-Wallingford, with SCS
SB 233-Kehoe, with SCS & SA 2 (pending)	SB 420-Schmitt
SB 266-Schaefer, with SCS	SB 424-Pearce, with SA 1 (pending)
SB 267-Schaefer, with SCS	SB 427-Sifton, with SCS
SB 268-Pearce, with SCS	SB 432-Onder, with SCS
SB 286-Schaaf and Silvey	SB 442-Schaefer
SB 299-Pearce	SBs 451, 307, 100 & 165-Dixon, with SCS
SB 302-Riddle, with SCS (pending)	SB 452-Schmitt, et al, with SA 1 & point of order (pending)
SB 304-Keaveny, with SCS	SB 455-Kehoe
SB 305-Onder	SB 469-Munzlinger
SB 313-Wallingford, with SCS	SB 471-Schaaf
SBs 331 & 21-Libla, with SCS & SS for SCS (pending)	SB 481-Onder, with SCS
SB 339-Munzlinger, with SS (pending)	SB 520-Kehoe, with SCS
SB 358-Kehoe	SB 528-Sater
SB 360-Parson, with SCS	SB 567-Chappelle-Nadal, et al
SB 371-Munzlinger	SJR 7-Richard and Wallingford
SB 372-Keaveny, with SCS (pending)	SJR 12-Onder, with SCS (pending)
SB 374-Schatz, with SCS	

HOUSE BILLS ON THIRD READING

HCS for HB 33, with SCS (Parson)	HB 440-Koenig (Kraus)
HB 64-Dugger (Cunningham)	HCS for HB 457 (Dempsey)
HCS for HB 104 (Schaefer)	HCS for HB 478-Fitzwater (Wallingford)
HB 108-McCaherty (Dixon)	HB 494-Leara (Kehoe)
HCS for HB 112 (Wasson)	HB 502-Kelley, with SCS (Kraus)
HCS for HB 119 (Wallingford)	HB 523-Burlison, with SCS (Brown)
HB 185-Love (Parson)	HB 529-Gosen, with SCS (Parson)
HB 190-Swan (Wallingford)	HB 533-Dugger, with SCS (Wasson)
HB 210-Conway (104) (Kehoe)	HCS for HB 538, with SCS (Brown) (In Fiscal Oversight)
HB 233-Franklin, with SCS (Parson)	HB 562-Davis (Wasson)
HB 271-Hoskins (Dixon)	HCS for HBs 578, 574 & 584, with SCS (Riddle)
HB 276-Cornejo, with SCS (Onder)	HB 589-Hough, with SCS (Onder)
HCS for HB 299, with SCS (Kraus)	HCS for HB 592 (Wasson)
HB 336-McGaugh (Kraus)	HCS for HB 635 (Dixon)
HB 341-Dugger (Kraus)	
HB 401-Fraker, with SCS (Sater)	

HCS for HBs 671 & 683, with SCS (Onder)
 HB 675-Rowden, with SS & SA 1 (pending)
 (Libla)
 HB 684-Koenig (Dixon)
 HCS for HB 692, with SCS (Munzlinger)
 HCS for HB 714 (Wallingford)
 HCS for HB 734, with SCS (Dixon)
 HCS for HB 777 (Kraus)
 HCS for HB 796, with SCS (Sater)
 HB 808-Cornejo, with SCS (Hegeman)
 HCS for HB 830, with SCS (Munzlinger)
 HB 836-Ross (Libla)
 HCS for HB 844, with SCS (Wasson)
 HCS for HB 864 (Kehoe)
 HB 875-Hinson, with SCS (Schatz)
 HB 923-Miller, with SCS (Kehoe)

HCS for HB 926 (Cunningham)
 HCS for HB 976, with SCS (Riddle)
 HB 982-Rowden (Pearce)
 HB 996-Hoskins (Dixon)
 HB 1010-Brown (57) (Munzlinger)
 HCS for HB 1019, with SCS (Romine)
 HB 1039-Dugger (Hegeman)
 HCS for HB 1058, with SCS (Brown)
 HCS for HB 1063 (Dixon)
 HB 1076-Brown (57) (Emery)
 HCS for HB 1084 (Romine)
 HB 1093-Houghton (Riddle)
 HB 1127-Johnson, with SCS (Hegeman)
 HJR 1-Dugger (Kraus)
 HCS for HJR 34, with SCS (Schmitt)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 230-Romine, with HCS, as
 amended

SB 458-Sater, with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1,
 HA 2, as amended, HA 3, as
 amended & HA 4
 SB 13-Munzlinger, with HCS, as amended
 (CCR offered)
 SCS for SB 35-Wallingford, with HCS, as
 amended
 SS for SCS for SB 67-Cunningham, with
 HCS, as amended
 (Senate adopted CCR and passed CCS)
 SB 104-Kraus, with HCS, as amended
 (Senate adopted CCR#2 and passed CCS#2)
 SS for SCS for SB 115-Kraus, with HCS,
 as amended (CCR offered)

SCS for SB 152-Wallingford, with HCS, as
 amended
 (Senate adopted CCR#2 and passed CCS#2)
 SCS for SB 172-Romine, with HCS, as
 amended
 SCS for SB 210-Schaefer, with HCS, as
 amended
 SB 221-Schatz, with HCS
 SB 254-Kraus, with HCS, as amended
 (Senate adopted CCR#2 and passed CCS#2)
 SCS for SB 270-Nasheed, with HCS, as
 amended
 SS for SCS for SB 278-Schatz, with HCS,
 as amended

(House requests Senate take up
and adopt CCR and pass CCS)
SB 282-Parson, with HCS, as amended
SB 283-Kehoe, with HCS, as amended
SCS for SB 300-Silvey, with HCS, as amended
SCS for SB 322-Dempsey, with HCS, as
amended
SCS for SB 326-Sater, with HCS, as amended
SCS for SB 328-Schupp, with HA 1 & HA 2
SCS for SB 380-Wieland, with HCS, as
amended
SCS for SB 445-Romine, with HCS, as
amended
(Senate adopted CCR and passed CCS)

SB 446-Schupp and Brown, with HA 1 &
HA 2, as amended
SCS for SB 473-Schaaf, with HCS, as
amended
HB 152-Haahr, with SCS, as amended
(Onder)
(House adopted CCR and passed CCS)
HB 458-Allen, with SS for SCS, as
amended (Schmitt)
(House adopted CCR and passed CCS)
HB 556-Wood, with SS for SCS, as amended
(Riddle)
HB 615-Dohrman, with SCS (Schatz)

RESOLUTIONS

SCS for SCR 30-Kehoe, with HCS

Reported from Committee

SCR 39-Dixon and Holsman
SCR 40-Romine
HCR 18-McCann (Curls)

HCR 26-Shull (Brown)
HCS for HCR 32 (Romine)
HCR 34-Rowland (Cunningham)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-NINTH DAY—WEDNESDAY, MAY 13, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“How deep I find your thoughts, O God! How great is the sum of them.” (Psalm 139:16)

Lord God, You understand it all and do what we cannot. So, we pray that our thoughts may be like Your thoughts. Help us discern what You discern and may we have the insight You have in all that is happening in our world. May our minds never be so cluttered that we are not open to Your word and the push You give in the decisions we need to make. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Photographers from Jefferson City News Tribune, St. Louis Public Radio, and KRCG-TV, KMIZ-ABC 17 News and Missouri Lawyers Media were given permission to take pictures in the Senate Chamber.

The President requested the Journal be read.

Senator Richard moved that further reading of the Journal be dispensed with and the same be approved as though having been fully read.

Senator Keaveny rose to object.

Senator Richard moved that further reading of the Journal be dispensed with and the same be approved as though having been fully read and requested a roll call vote be taken.

Senator Keaveny requested that motion be reduced to writing, which request was granted.

Senator Holsman requested that motion be distributed, which request was granted.

Senator Richard was joined in his request by Senators Holsman, Schupp, Sifton and Walsh.

At the request of Senator Richard, the motion to dispense with further reading of the Journal was withdrawn.

Senator Richard requested the Journal be read, which request was granted.

Senator Kehoe assumed the Chair.

President Kinder assumed the Chair.

Senator Richard moved that the Journal be approved as read, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dempsey	Dixon	Emery	Hegeman	Kehoe
Kraus	Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford
Wasson	Wieland—26						

NAYS—Senators

Curls	Holsman	Keaveny	LeVota	Nasheed	Schupp	Sifton	Walsh—8
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Holsman offered Senate Resolution No. 1102, regarding Zakery Dakota “Zak” Teel, which was adopted.

Senator Sater offered Senate Resolution No. 1103, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lynn Thomas, Miller, which was adopted.

Senator Sater offered Senate Resolution No. 1104, regarding Bob Holman, Miller, which was adopted.

Senator LeVota offered Senate Resolution No. 1105, regarding the death of Ted W. Ivey, Independence, which was adopted.

Senator Wasson offered Senate Resolution No. 1106, regarding Jacob Robling, Nixa, which was

adopted.

Senator Wasson offered Senate Resolution No. 1107, regarding Johnathan Grasmick, Nixa, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1108, regarding Joy Grimes, which was adopted.

Senator Richard offered Senate Resolution No. 1109, regarding Leslie Simpson, Joplin, which was adopted.

Senator Romine offered Senate Resolution No. 1110, regarding Susan Myers, which was adopted.

Senator Curls offered Senate Resolution No. 1111, regarding Sarah E. Holloway, Raytown, which was adopted.

Senator Curls offered Senate Resolution No. 1112, regarding Aziza Harrell, Kansas City, which was adopted.

Senator Romine offered Senate Resolution No. 1113, regarding Emily Snyder, which was adopted.

Senator Riddle offered Senate Resolution No. 1114, regarding the Liberty Christian High School baseball program, which was adopted.

Senator Onder offered Senate Resolution No. 1115, regarding the Mid America Teen Community Emergency Response Team (Mid America TEEN CERT), which was adopted.

Senator Kehoe offered Senate Resolution No. 1116, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ron Marsh, Jefferson City, which was adopted.

Senator Pearce offered Senate Resolution No. 1117, regarding David Rogers, which was adopted.

Senator Brown offered Senate Resolution No. 1118, regarding Robert B. Williams, Rolla, which was adopted.

Senator Hegeman offered Senate Resolution No. 1119, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Eddie Clay Maxwell, Maryville, which was adopted.

Senator Wieland offered Senate Resolution No. 1120, regarding Judy Kieffer-Douglas, Barnhart, which was adopted.

Senator Nasheed offered Senate Resolution No. 1121, regarding Beatrice Mary Connaghan, St. Louis, which was adopted.

Senator Nasheed offered Senate Resolution No. 1122, regarding Father Bill Hutchison, SJ, Saint Louis, which was adopted.

Senator Kraus offered Senate Resolution No. 1123, regarding the Grain Valley High School Marching Eagles band program, which was adopted.

PRIVILEGED MOTIONS

Senator Schaefer moved that the **CCR** for **HCS** for **SCS** for **SB 210**, as amended, be taken up for adoption.

Senator Sifton raised the point of order that an objection was made to taking up the motion, and Senators

were seeking recognition, pursuant to Rule 76.

The point of order was referred to the President Pro Tem, who ruled it not well taken.

Senator Holsman raised the point of order that the calendar had not been dispensed with and needed to be followed.

The point of order was referred to the President Pro Tem, who ruled it not well taken.

Senator Holsman appealed the ruling on the point of order. He requested a roll call vote be taken and was joined in his request by Senators Keaveny, Schupp, Sifton and Walsh.

Senator Holsman requested the Senate stand at ease.

Senator Schaefer rose to object.

Senator Holsman withdrew the appeal of the ruling on the point of order.

President Pro Tem Dempsey assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Emery	Hegeman	Keaveny
Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder	Pearce
Richard	Riddle	Sater	Schaaf	Schaefer	Schatz	Schmitt	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—29			

Absent—Senators

Dixon	Holsman	Parson	Romine	Schupp—5
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Absent with leave—Senators—None

Vacancies—None

Senator Schmitt assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

Absent—Senators

Chappelle-Nadal	LeVota	Parson	Schatz—4
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Absent with leave—Senators—None

Vacancies—None

Senator Onder assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Onder assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Emery	Hegeman
Holsman	Keaveny	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Sater	Schaaf	Schaefer	Schmitt
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

Absent—Senators

Kehoe	Romine	Schatz—3
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Absent with leave—Senators—None

Vacancies—None

Senator LeVota offered a substitute motion that the Senate refuse to adopt the **CCR** on **HCS** for **SCS** for **SB 210**, as amended, and request the House grant further conference.

The President stated that the motion before the body was to take the **CCR** on **HCS** for **SCS** for **SB 210**, as amended, up for adoption.

The President stated that a vote had not yet been taken on Senator Schaefer's motion; therefore, the substitute motion was not timely.

At the request of Senator LeVota, the substitute motion was withdrawn.

At the request of Senator Schaefer the motion to take up the **CCR** on **HCS** for **SCS** for **SB 210**, as amended, for adoption, was withdrawn.

COMMUNICATIONS

President Pro Tem Dempsey submitted the following:

May 13, 2015

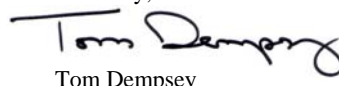
Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Due to my absence during the legislative days beginning upon my departure on Wednesday, May 13, through the conclusion of the legislative session on Friday, May 15, 2015, I authorize the Senate Majority Floor Leader to exercise the following duties:

- Refer bills to the Committee on Governmental Accountability and Fiscal Oversight.
- Receive reports of bills on the Senate Third Read calendar or House Bills on Third Read calendar that have received the committee's fiscal review.
- Make motion to return gubernatorial appointments to the Governor.
- Appoint conferees to conference committees.
- Take Reports of Standing Committees.

Sincerely,



Tom Dempsey

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SEVENTIETH DAY—THURSDAY, MAY 14, 2015

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)
SCS for SB 56-Munzlinger
(In Fiscal Oversight)

SS for SB 201-Dixon (In Fiscal Oversight)
SB 203-Dixon (In Fiscal Oversight)
SB 352-Schaefer (In Fiscal Oversight)
SS for SB 540-Libla (In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

1. HCS for HB 882-McGaugh, with SCS
(Munzlinger) (In Fiscal Oversight)
2. HB 279-Cornejo, with SCS (Schmitt)
(In Fiscal Oversight)
3. HB 100-Gosen, with SCS (Parson)
(In Fiscal Oversight)
4. HCS for HB 807, with SCS (Dixon)
(In Fiscal Oversight)
5. HB 254-Crawford, with SCS (Parson)
(In Fiscal Oversight)
6. HCS for HB 811, with SCS (Riddle)
(In Fiscal Oversight)
7. HB 32-Hoskins (Pearce)
(In Fiscal Oversight)

8. HB 218-Wilson, with SCS (Dixon)
(In Fiscal Oversight)
9. HCS for HB 117 (Dixon)
(In Fiscal Oversight)
10. HB 101-Redmon (Libla)
(In Fiscal Oversight)
11. HB 1305-Rowden (Schaefer)
(In Fiscal Oversight)
12. HCS for HB 1002, with SCS (Kehoe)
(In Fiscal Oversight)
13. HCS for HB 444 (Walsh)
(In Fiscal Oversight)
14. HCS for HB 1066, with SCS (Schaaf)
(In Fiscal Oversight)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

SB 17-Dixon	SB 305-Onder
SB 37-Romine, with SCS & SA 1 (pending)	SB 313-Wallingford, with SCS
SB 44-Nasheed, with SCS, SS for SCS & SA 1 (pending)	SBs 331 & 21-Libla, with SCS & SS for SCS (pending)
SB 46-Holsman	SB 339-Munzlinger, with SS (pending)
SB 53-Schaaf, with SS#2 (pending)	SB 358-Kehoe
SB 55-Munzlinger	SB 360-Parson, with SCS
SB 59-Dixon	SB 371-Munzlinger
SB 69-LeVota, with SCS	SB 372-Keaveny, with SCS (pending)
SB 80-Dixon, with SCS	SB 374-Schatz, with SCS
SB 91-Dixon, with SCS	SB 399-Onder
SBs 112, 212, 143 & 234-Dixon, with SCS	SB 400-Onder, with SS (pending)
SB 117-Brown, with SCS	SB 409-Wallingford, with SCS
SB 127-Brown, with SCS	SB 420-Schmitt
SB 130-Walsh and Schupp, with SCS	SB 424-Pearce, with SA 1 (pending)
SB 151-Sater	SB 427-Sifton, with SCS
SB 159-Parson	SB 432-Onder, with SCS
SB 167-Schaaf, with SCS	SB 442-Schaefer
SB 177-Munzlinger, with SCS	SBs 451, 307, 100 & 165-Dixon, with SCS
SB 220-Kehoe	SB 452-Schmitt, et al, with SA 1 & point of order (pending)
SB 225-Romine, with SCS	SB 455-Kehoe
SB 227-Emery, with SS (pending)	SB 469-Munzlinger
SB 232-Kehoe, with SCS (pending)	SB 471-Schaaf
SB 233-Kehoe, with SCS & SA 2 (pending)	SB 481-Onder, with SCS
SB 266-Schaefer, with SCS	SB 520-Kehoe, with SCS
SB 267-Schaefer, with SCS	SB 528-Sater
SB 268-Pearce, with SCS	SB 567-Chappelle-Nadal, et al
SB 286-Schaaf and Silvey	SJR 7-Richard and Wallingford
SB 299-Pearce	SJR 12-Onder, with SCS (pending)
SB 302-Riddle, with SCS (pending)	
SB 304-Keaveny, with SCS	

HOUSE BILLS ON THIRD READING

HCS for HB 33, with SCS (Parson)	HCS for HB 112 (Wasson)
HB 64-Dugger (Cunningham)	HCS for HB 119 (Wallingford)
HCS for HB 104 (Schaefer)	HB 185-Love (Parson)
HB 108-McCaherty (Dixon)	HB 190-Swan (Wallingford)

HB 210-Conway (104) (Kehoe)
 HB 233-Franklin, with SCS (Parson)
 HB 271-Hoskins (Dixon)
 HB 276-Cornejo, with SCS (Onder)
 HCS for HB 299, with SCS (Kraus)
 HB 336-McGaugh (Kraus)
 HB 341-Dugger (Kraus)
 HB 401-Fraker, with SCS (Sater)
 HB 440-Koenig (Kraus)
 HCS for HB 457 (Dempsey)
 HCS for HB 478-Fitzwater (Wallingford)
 HB 494-Leara (Kehoe)
 HB 502-Kelley, with SCS (Kraus)
 HB 523-Burlison, with SCS (Brown)
 HB 529-Gosen, with SCS (Parson)
 HB 533-Dugger, with SCS (Wasson)
 HCS for HB 538, with SCS (Brown)
 (In Fiscal Oversight)
 HB 562-Davis (Wasson)
 HCS for HBs 578, 574 & 584, with SCS
 (Riddle)
 HB 589-Hough, with SCS (Onder)
 HCS for HB 592 (Wasson)
 HCS for HB 635 (Dixon)
 HCS for HBs 671 & 683, with SCS (Onder)
 HB 675-Rowden, with SS & SA 1 (pending)
 (Libla)
 HB 684-Koenig (Dixon)

HCS for HB 692, with SCS (Munzlinger)
 HCS for HB 714 (Wallingford)
 HCS for HB 734, with SCS (Dixon)
 HCS for HB 777 (Kraus)
 HCS for HB 796, with SCS (Sater)
 HB 808-Cornejo, with SCS (Hegeman)
 HCS for HB 830, with SCS (Munzlinger)
 HB 836-Ross (Libla)
 HCS for HB 844, with SCS (Wasson)
 HCS for HB 864 (Kehoe)
 HB 875-Hinson, with SCS (Schatz)
 HB 923-Miller, with SCS (Kehoe)
 HCS for HB 926 (Cunningham)
 HCS for HB 976, with SCS (Riddle)
 HB 982-Rowden (Pearce)
 HB 996-Hoskins (Dixon)
 HB 1010-Brown (57) (Munzlinger)
 HCS for HB 1019, with SCS (Romine)
 HB 1039-Dugger (Hegeman)
 HCS for HB 1058, with SCS (Brown)
 HCS for HB 1063 (Dixon)
 HB 1076-Brown (57) (Emery)
 HCS for HB 1084 (Romine)
 HB 1093-Houghton (Riddle)
 HB 1127-Johnson, with SCS (Hegeman)
 HJR 1-Dugger (Kraus)
 HCS for HJR 34, with SCS (Schmitt)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 230-Romine, with HCS, as amended

SB 458-Sater, with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1,
 HA 2, as amended, HA 3, as amended & HA 4

SB 13-Munzlinger, with HCS, as amended
 (CCR offered)

SCS for SB 35-Wallingford, with HCS, as amended
SS for SCS for SB 67-Cunningham, with HCS, as amended
(Senate adopted CCR and passed CCS)
SB 104-Kraus, with HCS, as amended
(Senate adopted CCR#2 and passed CCS#2)
SS for SCS for SB 115-Kraus, with HCS, as amended (CCR offered)
SCS for SB 152-Wallingford, with HCS, as amended
(Senate adopted CCR#2 and passed CCS#2)
SCS for SB 172-Romine, with HCS, as amended
SCS for SB 210-Schaefer, with HCS, as amended
SB 221-Schatz, with HCS
SB 254-Kraus, with HCS, as amended
(Senate adopted CCR#2 and passed CCS#2)
SCS for SB 270-Nasheed, with HCS, as amended
SS for SCS for SB 278-Schatz, with HCS, as amended
(House requests Senate take up and adopt CCR and pass CCS)
SB 282-Parson, with HCS, as amended

SB 283-Kehoe, with HCS, as amended
SCS for SB 300-Silvey, with HCS, as amended
SCS for SB 322-Dempsey, with HCS, as amended
SCS for SB 326-Sater, with HCS, as amended
SCS for SB 328-Schupp, with HA 1 & HA 2
SCS for SB 380-Wieland, with HCS, as amended
SCS for SB 445-Romine, with HCS, as amended
(Senate adopted CCR and passed CCS)
SB 446-Schupp and Brown, with HA 1 & HA 2, as amended
SCS for SB 473-Schaaf, with HCS, as amended
HB 152-Haahr, with SCS, as amended
(Onder)
(House adopted CCR and passed CCS)
HB 458-Allen, with SS for SCS, as amended (Schmitt)
(House adopted CCR and passed CCS)
HB 556-Wood, with SS for SCS, as amended (Riddle)
HB 615-Dohrman, with SCS (Schatz)

RESOLUTIONS

SCS for SCR 30-Kehoe, with HCS

Reported from Committee

SCR 39-Dixon and Holsman
SCR 40-Romine
HCR 18-McCann (Curls)

HCR 26-Shull (Brown)
HCS for HCR 32 (Romine)
HCR 34-Rowland (Cunningham)

Journal of the Senate

FIRST REGULAR SESSION

SEVENTIETH DAY—THURSDAY, MAY 14, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“In your loving kindness, revive me, that I may keep the decrees of your mouth.” (Psalm 119:88)

Merciful Father, in the stillness of our souls we listen for Your voice to know again You are God. In the pressure of these closing days we are stressed and restless, eager to do what is right and pressed to know that we know what is expected of us. So, quiet our restless hearts with the knowledge that You are with us, keeping watch over us and caring for Your own. Rekindle our faith and deal with us as seems best to You. And help us to be forgiving of and caring for one another. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Photographers from KRCG-TV and Missouri Digital News were given permission to take pictures in the Senate Chamber.

The Journal of the previous day was read.

Senator Holsman offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend the Journal of the Senate for the First Regular Session, Sixty-Ninth Day – Wednesday, May 13, 2015, Line 2 by inserting immediately after the word “President” the following “Peter”.

At the request of Senator Holsman, the above amendment was withdrawn.

Senator Richard moved that the Journal for Wednesday, May 13, 2015 be approved as read and requested a roll call vote be taken. He was joined in his request by Senators Brown, Sater, Schaefer and Schmitt.

The Journal was approved as read, by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Hegeman	Keaveny	Kehoe
Kraus	Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford
Wasson	Wieland—26						

NAYS—Senators

Curls Holsman LeVota Nasheed Schupp Sifton Walsh—7

Absent—Senators—None

Absent with leave—Senator Dempsey—1

Vacancies—None

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

Absent—Senators—None

Absent with leave—Senator Dempsey—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 1124, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Charles Whitaker, Elmo, which was adopted.

Senator Onder offered Senate Resolution No. 1125, regarding Sandra Mueller, Saint Charles, which was adopted.

INTRODUCTIONS OF GUESTS

On behalf of Senator Emery, Senator Sifton introduced to the Senate, the Physician of the Day, Dr. Bill Turner, Nevada.

On motion of Senator Richard, the Senate adjourned under the rules.

SENATE CALENDAR

SEVENTY-FIRST DAY—FRIDAY, MAY 15, 2015

FORMAL CALENDAR**THIRD READING OF SENATE BILLS**

SCS for SBs 1, 22, 49 & 70-Pearce
(In Fiscal Oversight)

SCS for SB 56-Munzlinger
(In Fiscal Oversight)

SS for SB 201-Dixon (In Fiscal Oversight)
SB 203-Dixon (In Fiscal Oversight)

SB 352-Schaefer (In Fiscal Oversight)
SS for SB 540-Libla (In Fiscal Oversight)

HOUSE BILLS ON THIRD READING

1. HCS for HB 882-McGaugh, with SCS
(Munzlinger) (In Fiscal Oversight)
2. HB 279-Cornejo, with SCS (Schmitt)
(In Fiscal Oversight)
3. HB 100-Gosen, with SCS (Parson)
(In Fiscal Oversight)
4. HCS for HB 807, with SCS (Dixon)
(In Fiscal Oversight)
5. HB 254-Crawford, with SCS (Parson)
(In Fiscal Oversight)
6. HCS for HB 811, with SCS (Riddle)
(In Fiscal Oversight)
7. HB 32-Hoskins (Pearce)
(In Fiscal Oversight)

8. HB 218-Wilson, with SCS (Dixon)
(In Fiscal Oversight)
9. HCS for HB 117 (Dixon)
(In Fiscal Oversight)
10. HB 101-Redmon (Libla)
(In Fiscal Oversight)
11. HB 1305-Rowden (Schaefer)
(In Fiscal Oversight)
12. HCS for HB 1002, with SCS (Kehoe)
(In Fiscal Oversight)
13. HCS for HB 444 (Walsh)
(In Fiscal Oversight)
14. HCS for HB 1066, with SCS (Schaaf)
(In Fiscal Oversight)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SB 475-Dempsey

SENATE BILLS FOR PERFECTION

SB 17-Dixon
SB 37-Romine, with SCS & SA 1 (pending)
SB 44-Nasheed, with SCS, SS for SCS &
SA 1 (pending)
SB 46-Holsman
SB 53-Schaaf, with SS#2 (pending)
SB 55-Munzlinger
SB 59-Dixon
SB 69-LeVota, with SCS
SB 80-Dixon, with SCS
SB 91-Dixon, with SCS
SBs 112, 212, 143 & 234-Dixon, with SCS

SB 117-Brown, with SCS
SB 127-Brown, with SCS
SB 130-Walsh and Schupp, with SCS
SB 151-Sater
SB 159-Parson
SB 167-Schaaf, with SCS
SB 177-Munzlinger, with SCS
SB 220-Kehoe
SB 225-Romine, with SCS
SB 227-Emery, with SS (pending)
SB 232-Kehoe, with SCS (pending)
SB 233-Kehoe, with SCS & SA 2 (pending)

SB 266-Schaefer, with SCS
 SB 267-Schaefer, with SCS
 SB 268-Pearce, with SCS
 SB 286-Schaaf and Silvey
 SB 299-Pearce
 SB 302-Riddle, with SCS (pending)
 SB 304-Keaveny, with SCS
 SB 305-Onder
 SB 313-Wallingford, with SCS
 SBs 331 & 21-Libla, with SCS & SS for
 SCS (pending)
 SB 339-Munzlinger, with SS (pending)
 SB 358-Kehoe
 SB 360-Parson, with SCS
 SB 371-Munzlinger
 SB 372-Keaveny, with SCS (pending)
 SB 374-Schatz, with SCS
 SB 399-Onder
 SB 400-Onder, with SS (pending)

SB 409-Wallingford, with SCS
 SB 420-Schmitt
 SB 424-Pearce, with SA 1 (pending)
 SB 427-Sifton, with SCS
 SB 432-Onder, with SCS
 SB 442-Schaefer
 SBs 451, 307, 100 & 165-Dixon, with SCS
 SB 452-Schmitt, et al, with SA 1 & point
 of order (pending)
 SB 455-Kehoe
 SB 469-Munzlinger
 SB 471-Schaaf
 SB 481-Onder, with SCS
 SB 520-Kehoe, with SCS
 SB 528-Sater
 SB 567-Chappelle-Nadal, et al
 SJR 7-Richard and Wallingford
 SJR 12-Onder, with SCS (pending)

HOUSE BILLS ON THIRD READING

HCS for HB 33, with SCS (Parson)
 HB 64-Dugger (Cunningham)
 HCS for HB 104 (Schaefer)
 HB 108-McCaherty (Dixon)
 HCS for HB 112 (Wasson)
 HCS for HB 119 (Wallingford)
 HB 185-Love (Parson)
 HB 190-Swan (Wallingford)
 HB 210-Conway (104) (Kehoe)
 HB 233-Franklin, with SCS (Parson)
 HB 271-Hoskins (Dixon)
 HB 276-Cornejo, with SCS (Onder)
 HCS for HB 299, with SCS (Kraus)
 HB 336-McGaugh (Kraus)
 HB 341-Dugger (Kraus)
 HB 401-Fraker, with SCS (Sater)
 HB 440-Koenig (Kraus)

HCS for HB 457 (Dempsey)
 HCS for HB 478-Fitzwater (Wallingford)
 HB 494-Leara (Kehoe)
 HB 502-Kelley, with SCS (Kraus)
 HB 523-Burlison, with SCS (Brown)
 HB 529-Gosen, with SCS (Parson)
 HB 533-Dugger, with SCS (Wasson)
 HCS for HB 538, with SCS (Brown)
 (In Fiscal Oversight)
 HB 562-Davis (Wasson)
 HCS for HBs 578, 574 & 584, with SCS (Riddle)
 HB 589-Hough, with SCS (Onder)
 HCS for HB 592 (Wasson)
 HCS for HB 635 (Dixon)
 HCS for HBs 671 & 683, with SCS (Onder)
 HB 675-Rowden, with SS & SA 1 (pending)
 (Libla)

HB 684-Koenig (Dixon)
HCS for HB 692, with SCS (Munzlinger)
HCS for HB 714 (Wallingford)
HCS for HB 734, with SCS (Dixon)
HCS for HB 777 (Kraus)
HCS for HB 796, with SCS (Sater)
HB 808-Cornejo, with SCS (Hegeman)
HCS for HB 830, with SCS (Munzlinger)
HB 836-Ross (Libla)
HCS for HB 844, with SCS (Wasson)
HCS for HB 864 (Kehoe)
HB 875-Hinson, with SCS (Schatz)
HB 923-Miller, with SCS (Kehoe)
HCS for HB 926 (Cunningham)

HCS for HB 976, with SCS (Riddle)
HB 982-Rowden (Pearce)
HB 996-Hoskins (Dixon)
HB 1010-Brown (57) (Munzlinger)
HCS for HB 1019, with SCS (Romine)
HB 1039-Dugger (Hegeman)
HCS for HB 1058, with SCS (Brown)
HCS for HB 1063 (Dixon)
HB 1076-Brown (57) (Emery)
HCS for HB 1084 (Romine)
HB 1093-Houghton (Riddle)
HB 1127-Johnson, with SCS (Hegeman)
HJR 1-Dugger (Kraus)
HCS for HJR 34, with SCS (Schmitt)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 230-Romine, with HCS, as
amended

SB 458-Sater, with HCS, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SS#2 for SCS for SB 11-Richard, with HA 1,
HA 2, as amended, HA 3, as amended & HA 4
SB 13-Munzlinger, with HCS, as amended
(CCR offered)
SCS for SB 35-Wallingford, with HCS, as
amended
SS for SCS for SB 67-Cunningham, with
HCS, as amended
(Senate adopted CCR and passed CCS)
SB 104-Kraus, with HCS, as amended
(Senate adopted CCR#2 and passed CCS#2)
SS for SCS for SB 115-Kraus, with HCS,
as amended (CCR offered)
SCS for SB 152-Wallingford, with HCS, as
amended
(Senate adopted CCR#2 and passed CCS#2)

SCS for SB 172-Romine, with HCS, as
amended
SCS for SB 210-Schaefer, with HCS, as
amended
SB 221-Schatz, with HCS
SB 254-Kraus, with HCS, as amended
(Senate adopted CCR#2 and passed CCS#2)
SCS for SB 270-Nasheed, with HCS, as
amended
SS for SCS for SB 278-Schatz, with HCS,
as amended
(House requests Senate take up
and adopt CCR and pass CCS)
SB 282-Parson, with HCS, as amended
SB 283-Kehoe, with HCS, as amended
SCS for SB 300-Silvey, with HCS, as amended

SCS for SB 322-Dempsey, with HCS, as amended
 SCS for SB 326-Sater, with HCS, as amended
 SCS for SB 328-Schupp, with HA 1 & HA 2
 SCS for SB 380-Wieland, with HCS, as amended
 SCS for SB 445-Romine, with HCS, as amended
 (Senate adopted CCR and passed CCS)
 SB 446-Schupp and Brown, with HA 1 & HA 2, as amended

SCS for SB 473-Schaaf, with HCS, as amended
 HB 152-Haahr, with SCS, as amended (Onder)
 (House adopted CCR and passed CCS)
 HB 458-Allen, with SS for SCS, as amended (Schmitt)
 (House adopted CCR and passed CCS)
 HB 556-Wood, with SS for SCS, as amended (Riddle)
 HB 615-Dohrman, with SCS (Schatz)

RESOLUTIONS

SCS for SCR 30-Kehoe, with HCS

Reported from Committee

SCR 39-Dixon and Holsman
 SCR 40-Romine
 HCR 18-McCann (Curls)

HCR 26-Shull (Brown)
 HCS for HCR 32 (Romine)
 HCR 34-Rowland (Cunningham)

✓

Journal of the Senate

FIRST REGULAR SESSION

SEVENTY-FIRST DAY—FRIDAY, MAY 15, 2015

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

“We must work the work of him who sent me while it is day; night is coming when no one can work.” (John 9:4)

Lord God, we are mindful that this is the day when all our session work comes to an end and it increases our stress and the difficulty of making sure we get done what must be done. So, as our time runs out, be with us and as the final bill for this session is perfected let us be thankful for Your presence with us and the generosity of Your gifts to us so that in sharing them our collective effort is more than we could have done on our own. And Lord, before we head home, let us be thankful for the work of our senate staff, who has been there for us assisting us every day, making our work that much easier. And, as we travel home open our hearts to see the sacrifice our families have made and be truly grateful and thankful for them so we could serve the people of Missouri. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Photographers from KRCG-TV, St. Louis Public Radio, St. Louis Post-Dispatch, Jefferson City News Tribune, Associated Press, KOMU 8 News, KSPR News and ABC 17 News-KMIZ were given permission to take pictures in the Senate Chamber.

The Journal of the previous day was read.

Senator Richard moved that the Journal for Thursday, May 14, 2015 be approved as read and requested a roll call vote be taken. He was joined in his request by Senators Keaveny, Onder, Sater and Schaefer.

The Journal was approved as read, by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—31	

NAYS—Senators—None

Absent—Senators

Schatz Schmitt—2

Absent with leave—Senator Dempsey—1

Vacancies—None

Senator Pearce assumed the Chair.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Keaveny	Kehoe	Kraus	LeVota	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—33

Absent—Senators—None

Absent with leave—Senator Dempsey—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 1126, regarding Cynthia D. Lichtenegger, Jackson, which was adopted.

Senator Kehoe offered Senate Resolution No. 1127, regarding Jeremy P. Amick, Russellville, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1128, regarding Katelyn Freund, Saint Louis, which was adopted.

Senator Wasson offered Senate Resolution No. 1129, regarding Sharon Williams, Springfield, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1130, regarding Alexandria A. Smith, Florissant, which was adopted.

Senator Sifton offered Senate Resolution No. 1131, regarding the Rogers Elementary School, Saint Louis County, which was adopted.

Senator Onder offered Senate Resolution No. 1132, regarding William Thomas Riordan, Lake Saint Louis, which was adopted.

Senator Dixon offered Senate Resolution No. 1133, regarding Dr. Brian Vesely, Au.D., Ozark, which was adopted.

Senator Dixon offered Senate Resolution No. 1134, regarding the Springfield Grocer Company, which was adopted.

Senator Riddle offered Senate Resolution No. 1135, regarding the One Hundredth Birthday of Rose Stockmann, which was adopted.

Senator Kehoe offered Senate Resolution No. 1136, regarding Marc Wesley Miller, Jefferson City, which was adopted.

Senator Schaaf offered Senate Resolution No. 1137, regarding Alex Morehead, St. Joseph, which was adopted.

On motion of Senator Richard, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

MESSAGES FROM THE GOVERNOR

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

May 7, 2015

To the Senate of the 98th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments to office made by me and submitted to you for your advice and consent:

Jo Wanda Bozeman, Democrat, 701 Cedar Bluff Court, Manchester, Saint Louis County, Missouri 63021, as a member of the Saint Louis County Board of Election Commissioners, for a term ending January 10, 2017, and until her successor is duly appointed and qualified; vice Richard H. Kellett, term expired.

David E. Gurian, 2309 Parkridge Avenue, Brentwood, Saint Louis County, Missouri 63144, as a member of the Organ Donation Advisory Committee, for a term ending December 12, 2015, and until his successor is duly appointed and qualified; vice, David E. Gurian, withdrawn.

Paul M. Maloney, Republican, 5823 Delor, Saint Louis City, Missouri 63109, as a member of the Saint Louis City Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, Paul M. Maloney, withdrawn.

Christian S. Tadrus, 8 Westwood Place, Moberly, Randolph County, Missouri 65270, as a member of the State Board of Pharmacy, for a term ending April 19, 2020, and until his successor is duly appointed and qualified; vice, Melissa D. Graham, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Senator Richard moved that the appointments be returned to the Governor, per his request, which motion prevailed.

PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 210**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 210

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 210, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 210, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 210;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 210 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Rob Schaaf
/s/ Bob Onder
/s/ Paul LeVota
/s/ Shalonn "Kiki" Curls

FOR THE HOUSE:

/s/ Tom Flanigan
/s/ Sue Allen
Mike Leara
/s/ John Rizzo
/s/ Gail McCann Beatty

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators—None

Absent—Senators

Cunningham Parson—2

Absent with leave—Senators

Dempsey LeVota—2

Vacancies—None

On motion of Senator Schaefer, **CCS** for **HCS** for **SCS** for **SB 210**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 210

An Act to repeal sections 190.839, 198.439, 208.152, 208.437, 208.480, 338.550, and 633.401, RSMo,

and to enact in lieu thereof eight new sections relating to health care.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dixon	Emery	Hegeman	Holsman	Keaveny
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—30		

NAYS—Senators—None

Absent—Senators

Cunningham Parson—2

Absent with leave—Senators

Dempsey LeVota—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

On motion of Senator Richard, the Senate adjourned until 10:00 a.m., Wednesday, May 27, 2015.

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Journal of the Senate

FIRST REGULAR SESSION

SEVENTY-SECOND DAY—WEDNESDAY, MAY 27, 2015

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

RESOLUTIONS

On behalf of Senator Cunningham, Senator Dempsey offered Senate Resolution No. 1138, regarding Reverend Joey Hight, which was adopted.

On behalf of Senator Parson, Senator Dempsey offered Senate Resolution No. 1139, regarding Robert Redfern, Bolivar, which was adopted.

On behalf of Senator Parson, Senator Dempsey offered Senate Resolution No. 1140, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dewey Bramwell, Buffalo, which was adopted.

On behalf of Senator Parson, Senator Dempsey offered Senate Resolution No. 1141, regarding the Fiftieth Wedding Anniversary of John and Shirley Wilson, Bolivar, which was adopted.

On behalf of Senator Keaveny, Senator Dempsey offered Senate Resolution No. 1142, regarding “Bringing It Together Day”, which was adopted.

On behalf of Senator Curls, Senator Dempsey offered Senate Resolution No. 1143, regarding the death of Fred Avril Curls, Kansas City, which was adopted.

On behalf of Senator Pearce, Senator Dempsey offered Senate Resolution No. 1144, regarding the Ninetieth Birthday of Harold P. Sampson, Higginsville, which was adopted.

On behalf of Senator Pearce, Senator Dempsey offered Senate Resolution No. 1145, regarding Kathy Borgman, which was adopted.

On behalf of Senator Schupp, Senator Dempsey offered Senate Resolution No. 1146, regarding Ethan Alexander Bopp, which was adopted.

On behalf of Senator Curls, Senator Dempsey offered Senate Resolution No. 1147, regarding Dominic L. Guillen, which was adopted.

On behalf of Senator LeVota, Senator Dempsey offered Senate Resolution No. 1148, regarding the death

of William J. “Bill” McDonald, which was adopted.

On behalf of Senator Parson, Senator Dempsey offered Senate Resolution No. 1149, regarding the Fiftieth Wedding Anniversary of Martin and Linda Porter, Bolivar, which was adopted.

On behalf of Senator Parson, Senator Dempsey offered Senate Resolution No. 1150, regarding the Fiftieth Wedding Anniversary of Bill and Shirley Hayworth, Sedalia, which was adopted.

On behalf of Senator Hegeman, Senator Dempsey offered Senate Resolution No. 1151, regarding the Fortieth Anniversary of Northwest Missouri Industries, Rock Port, which was adopted.

On behalf of Senator Hegeman, Senator Dempsey offered Senate Resolution No. 1152, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. William “Bill” Peregrine, Elmo, which was adopted.

On behalf of Senator Hegeman, Senator Dempsey offered Senate Resolution No. 1153, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Cecil “Chub” Cummings, Jamesport, which was adopted.

On behalf of Senator Hegeman, Senator Dempsey offered Senate Resolution No. 1154, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Burdette Bond, Graham, which was adopted.

On behalf of Senator Hegeman, Senator Dempsey offered Senate Resolution No. 1155, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Willis Jackson, Helena, which was adopted.

On behalf of Senator Hegeman, Senator Dempsey offered Senate Resolution No. 1156, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. R. Dean McCollum, New Boston, which was adopted.

On behalf of Senator Hegeman, Senator Dempsey offered Senate Resolution No. 1157, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Bill Richardson, Unionville, which was adopted.

MESSAGES FROM THE HOUSE

The following messages, reflecting action taken prior to the 6:00 p.m. adjournment, Friday, May 15, 2015, were received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 326**, as amended. Representatives: Fraker, Hinson, Alferman, Webber and Newman.

Also,

Mr. President: The Speaker of the House has appointed the following committee to act with a like committee from the Senate on **SS** for **SCS** for **HB 556**, as amended. Representatives: Wood, Franklin, Lant, Kirkton and Meredith.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 15**.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7, as amended, House Amendment Nos. 8, 9 and 10.

HOUSE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 15, Page 1, In the Title,

Lines 2-3, by deleting the words, “a commission to study state tax policy” and inserting in lieu thereof the word, “taxation”; and

Further amend said bill, Page 4, Section 136.450, Line 92, by inserting after all of said section and line the following:

“144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person’s administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment.

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the [director’s] **director of revenue’s** record.

4. Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director **of revenue**, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director **of revenue** otherwise would have against either the purchaser or vendor or seller **if such offset or claim has been assessed under section 144.240 or 144.670 and such assessment is no longer subject to appeal**, and such claim for refund is accompanied by either:

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director **of revenue** to amend the seller’s return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within [sixty] **thirty** days from the date of such purchaser’s written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director **of revenue** a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the

director of revenue by the vendor or seller. The director **of revenue** shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director **of revenue** for collection and remittance of sales tax, the director **of revenue** shall notify the seller at the seller's last known address of the claim for refund. [If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the] **The director of revenue** may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall [not] be considered to have been filed [until the seller agrees that the refund is warranted or] thirty days after the date the director **of revenue** notified the seller [and the seller failed to respond].

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director **of revenue**, notice of such denial and the reason for the denial shall be sent by the director **of revenue** to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director **of revenue** as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the [director's] **director of revenue's** decision to deny a refund claim shall also apply to any refund claim denied by the director **of revenue** on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

7. Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct

the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

8. For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if **the refund claim is filed by a purchaser under the provisions of subsection 4 of this section, the refund claim is for use tax remitted by the purchaser, or** an additional refund claim is filed **by a person legally obligated to remit the tax** due to any of the following:

- (1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;
- (2) A decision of a court of competent jurisdiction or the administrative hearing commission; or
- (3) Changes in regulations or policy by the department of revenue.

9. Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director **of revenue**, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director **of revenue** to a specific set of facts provided by a specific taxpayer or his or her agent.

10. If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510 against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied.

11. The provisions of this section are intended to clarify the limitations on refund claims as originally enacted in this chapter.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 15, Page 1, In the Title, Lines 2-3, by deleting the words, “a commission to study state tax policy” and inserting in lieu thereof the words “taxation”; and

Further amend said bill, page, Section A, Line 2, by inserting after all of said section and line the following:

“65.620. 1. Whenever any county abolishes township organization the county treasurer and ex officio collector shall immediately settle his accounts as treasurer with the county commission and shall thereafter perform all duties, exercise all powers, have all rights and be subject to all liabilities imposed and conferred upon the county collector of revenue under chapter 52 until the first Monday in March after the general

election next following the abolishment of township organization and until a collector of revenue for the county is elected and qualified. The person elected collector at the general election as aforesaid, if that election is not one for collector of revenue under chapter 52, shall serve until the first Monday in March following the election and qualification of a collector of revenue under chapter 52. Upon abolition of township organization a county treasurer shall be appointed to serve until the expiration of the term of such officer pursuant to chapter 54.

2. Upon abolition of township organization, title to all property of all kinds theretofore owned by the several townships of the county shall vest in the county and the county shall be liable for all outstanding obligations and liabilities of the several townships.

3. The terms of office of all township officers shall expire on the abolition of township organization and the township trustee of each township shall immediately settle his accounts with the county clerk and all township officers shall promptly deliver to the appropriate county officers, as directed by the county commission, all books, papers, records and property pertaining to their offices.

4. For a period of one calendar year following the abolition of the townships or until the voters of the county have approved a tax levy for road and bridge purposes, whichever occurs first, the county collector shall continue to collect a property tax on a county-wide basis in an amount equal to the tax levied by the township that had the lowest total tax rate in the county immediately prior to the abolishment of the townships. The continued collection of the tax shall be considered a continuation of an existing tax and shall not be considered a new tax levy.”; and

Further amend said bill, Page 4, Section 136.450, Line 92, by inserting after all of said section and line the following:

“Section B. Because of the need to provide a funding source to ensure the proper maintenance of roads and bridges in certain counties of this state, section 65.620 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 65.620 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 15, Page 1, In the Title, Lines 2-3, by deleting the words “a commission to study state tax policy” and inserting in lieu thereof the word “taxation”; and

Further amend said bill, Page 4, Section 136.450, Line 92, by inserting after all of said section and line the following:

“144.010. 1. The following words, terms, and phrases when used in sections 144.010 to 144.525 have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) “Admission” includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) “Business” includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business

is of such character as to be subject to the terms of sections 144.010 to 144.525. A person is “engaging in business” in this state for purposes of sections 144.010 to 144.525 if such person “engages in business in this state” or “maintains a place of business in this state” under section 144.605. The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

(3) “Captive wildlife”, includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;

(4) “Gross receipts”, except as provided in section 144.012, means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term “gross receipts” shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid;

(5) “Livestock”, cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, or rabbits raised in confinement for human consumption;

(6) “Motor vehicle leasing company” shall be a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

(7) “Person” includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(8) “Purchaser” means a person who purchases tangible personal property or to whom are rendered services, receipts from which are taxable under sections 144.010 to 144.525;

(9) “Research or experimentation activities” are the development of an experimental or pilot model,

plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;

(10) “Sale” or “sales” includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;

(11) “Sale at retail” means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to 144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property. Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term “sale at retail” shall be construed to embrace:

(a) Sales of admission tickets[, cash admissions,] **and charges and fees for admission to [or in places of amusement, entertainment and recreation, games and athletic events] view sporting events, dance performances, theater performances, orchestra, concerts, and other performing arts productions, and amounts paid for admission to racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, go-karts, miniature golf, zip lines, individual stand-alone amusement rides, and other tourist excursions. Such tax shall not include any sales regardless of how offered and sold as a right of first refusal, right to purchase, single admission ticket, bundled package or season pass for admission and seating accommodations, or fees paid to or in any place having an exemption under subdivision (20), (21), or (22) of subsection 2 of section 144.030. Such sales shall not include the amount paid that results in the first opportunity to purchase or decline tickets for admission to events, but does not itself result in admission;**

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or

drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(12) “Seller” means a person selling or furnishing tangible personal property or rendering services, on the receipts from which a tax is imposed pursuant to section 144.020;

(13) The noun “tax” means either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require;

(14) “Telecommunications service”, for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, “information” means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer’s bill or on records of the seller maintained in the ordinary course of business:

(a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;

(b) Answering services and one-way paging services;

(c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or

(d) Cable or satellite television or music services; and

(15) “Product which is intended to be sold ultimately for final use or consumption” means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state.

2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term “manufactured homes” shall have the same meaning given it in section 700.010.

3. Sections 144.010 to 144.525 may be known and quoted as the “Sales Tax Law”.

144.018. 1. Notwithstanding any other provision of law to the contrary, except as provided under subsection 2 or 3 of this section, when a purchase of tangible personal property or service subject to tax is made for the purpose of resale, such purchase shall be either exempt or excluded under this chapter if the subsequent sale is:

(1) Subject to a tax in this or any other state;

(2) For resale;

(3) Excluded from tax under this chapter;

(4) Subject to tax but exempt under this chapter; or

(5) Exempt from the sales tax laws of another state, if the subsequent sale is in such other state.

The purchase of tangible personal property by a taxpayer shall not be deemed to be for resale if such property is used or consumed by the taxpayer in providing a service on which tax is not imposed by subsection 1 of section 144.020, except purchases made in fulfillment of any obligation under a defense contract with the United States government.

2. For purposes of subdivision (2) of subsection 1 of section 144.020, a place of amusement, entertainment or recreation, including games or athletic events, shall remit tax on the amount paid for admissions or seating accommodations[, or fees paid] to[, or in] such place of amusement, entertainment or recreation. Any subsequent sale of such admissions or seating accommodations shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale of such admissions or seating accommodations is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the place of amusement, entertainment, or recreation to remit tax on that sale. **Such sales under subdivision (2) of subsection 1 of section 144.020 shall include sales of admission tickets and charges and fees for admission to view sporting events, dance performances, theater performances, orchestra, concerts and other performing arts productions, and amounts paid for admission to racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, go-karts, miniature golf, zip lines, individual stand-alone amusement rides, and other tourist excursions. Such tax shall not include any sales regardless of how offered and sold as a right of first refusal, right to purchase, single admission ticket, bundled package or season pass for admission and seating accommodations, or charges or, fees paid to or in any place having an exemption under subdivision (20), (21), or (22) of subsection 2 of section 144.030. Such sales shall not include the amount paid that results in the first opportunity to purchase or decline tickets for admission to events, but does not itself result in admission.**

3. For purposes of subdivision (6) of subsection 1 of section 144.020, a hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public shall remit tax on the amount of sales or charges for all rooms, meals, and drinks furnished at such hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public. Any subsequent sale of such rooms, meals, or drinks shall not be subject to tax if the initial sale was an arms length transaction for fair market value with an unaffiliated entity. If the sale of such rooms, meals, or drinks is exempt or excluded from payment of sales and use taxes, the provisions of this subsection shall not require the hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp, or other place in which rooms, meals, or drinks are regularly served to the public to remit tax on that sale.

4. The provisions of this section are intended to reject and abrogate earlier case law interpretations of the state's sales and use tax law with regard to sales for resale as extended in *Music City Centre Management, LLC v. Director of Revenue*, 295 S.W.3d 465, (Mo. 2009) and *ICC Management, Inc. v. Director of Revenue*, 290 S.W.3d 699, (Mo. 2009). The provisions of this section are intended to clarify the exemption or exclusion of purchases for resale from sales and use taxes as originally enacted in this chapter.

144.020. 1. A tax is hereby levied and imposed for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be titled under the laws of the state of Missouri and, except as provided in subdivision (9) of this subsection, upon all sellers for the privilege of engaging in the business of selling tangible

personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of this subsection, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission **tickets** and [seating accommodations, or] **charges and** fees [paid] to[, or in any place of amusement, entertainment or recreation, games and athletic events] **view sporting events, dance performances, theater performances, orchestra, concerts and other performing arts productions, and amounts paid for admission to racetracks, arcades, theme and amusement parks, water parks, circuses, carnivals, festivals, air shows, museums, marinas, motion picture theaters, go-karts, miniature golf, zip lines, individual stand-alone amusement rides, and other tourist excursions. Such tax shall not include any sales regardless of how offered and sold as a right of first refusal, right to purchase, single admission ticket, bundled package or season pass for admission and seating accommodations, or fees paid to or in any place having an exemption under subdivision (20), (21), or (22) of subsection 2 of section 144.030. Such sales shall not include the amount paid that results in the first opportunity to purchase or decline tickets for admission to events, but does not itself result in admission;**

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid for access to the internet or interactive computer services shall not be considered as amounts paid for telecommunications services;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of "sale at retail" or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the

tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof;

(9) A tax equivalent to four percent of the purchase price, as defined in section 144.070, of new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. This tax is imposed on the person titling such property, and shall be paid according to the procedures in section 144.440.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words “This ticket is subject to a sales tax.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 15, Page 1, In the Title, Lines 2-3, by deleting the following words, “a commission to study state tax policy” and inserting in lieu thereof the word, “taxation”; and

Further amend said bill, page, Section A, Line 2, by inserting after all of said section and line the following:

“94.360. 1. The council of any incorporated town or city in this state having a special charter and which contains not more than thirty thousand inhabitants may by ordinance levy and collect a license tax on wholesale houses, auctioneers, architects, druggists, grocers, banks, brokers, wholesale merchants, merchants of all kinds, confectioners, delivery trucks, ice trucks, transfer trucks, laundry wagons, milk wagons, merchant delivery companies, cigar and tobacco stands, hay scales, wood dealers, coal dealers, coal distributors, coal truckers, lumber dealers, real estate agents, loan companies, abstracters, abstract agencies, loan agents, collection agencies, undertakers, public buildings, office buildings, public halls, public grounds, concerts, photographers in office or upon streets, canvassers, artists, drummers, patent right dealers, insurance companies, insurance agents, taverns, hotels, rooming houses, boarding houses, sanitariums, hospitals, health schools, telephone companies, street contractors, paperhanger contractors, painting contractors, plastering contractors, and all subcontractors, flour mills, express company agencies, opticians, wagons, buggies, carriages, tinnerns, barbers, barbershops, hairdressers, hair dressing shops, whether conducted in connection with other business or separate, beauty parlors, tailors, florists, nursery stock agents, bookbinders, monument dealers, and agencies, manufacturing agents, shoe cobbler shops, storage warehouses, shoe shining parlors, job printing plants, outdoor advertising, ready-to-wear clothing agencies, tailor-made clothing agencies, sewing machine agencies, piano and organ dealers and agents, foreign coffee and tea dealers, and agents or all other vocations whatsoever, and fix the rate of carriage of persons and wagonage, drayage and cartage of property; and may levy and collect a license tax and regulate hawkers, peddlers, pawnbrokers, restaurants, butchers, wholesale butchers, bathhouses and masseurs, lunch stands,

lunch counters, lunch wagons, soft drink and ice cream stands and vendors, ice cream parlors, peanut and popcorn stands, and stands of every kind, hucksters, opera houses, moving picture shows, private parks, public lectures, public meetings, baseball parks, horse and cattle dealers, stockyards, wagon yards, auto yards, oil stations, wholesale and retail inspectors, gaugers, mercantile agents, manufacturing and other corporations, or institutions, machine shops, blacksmith shops, radio repair shops, foundries, sewer contractors, building contractors, stone contractors, sidewalk contractors, bridge contractors, plumbing contractors, brick contractors, cement contractors, and all subcontractors, street railroad cars, gas companies, light companies, power companies, and water companies, laundries, laundry agencies, rug and carpet cleaners, linen supply rental service, conditioning and renting for use, bed linen, table linen, towels, rugs, uniform aprons, coats, caps, coveralls, chair covers, automobile seat covers or any other items, ice plants and ice plant agencies, ice dealers, omnibuses, automobiles, automobile trailers, tractors, carts, drays, milk wagons, laundry wagons, delivery wagons, transfer and job wagons, ice wagons, and all other vehicles, traveling and auction stores, plumbers, pressing establishments, installment houses and agencies, produce and poultry dealers, feather renovators, baker and bakeries, bakery delivery wagons, and delivery autos, bottling works, dye works, cleaning establishments, sand plants, steamfitters, corn doctors, chiropodists, hackmen, taxicabs, buses, draymen, omnibus drivers, porters, dairies, and regulate the same, and all other pursuing like occupations; and may levy and collect a license tax, regulate, restrain, prohibit and suppress ordinaries, money brokers, money changers, intelligence and employment offices, and agencies, public masquerades, balls, street exhibitions, dance halls, fortune tellers, pistol galleries, shooting galleries, palmists, private venereal hospitals, museums, menageries, equestrian performances, fluoroscopic views, picture shows, telescopic views, lung testers, muscle developers, magnifying glasses, ten pin alleys, ball alleys, bowling alleys, billiard tables, pool and other tables, miniature golf courses, theatrical or other exhibitions, boxing and sparring exhibitions, shows and amusements, amusement parks, and the sale of unclaimed goods by express companies or common carriers, auto wrecking shops, bill posters, junk dealers, porters, carnival and street fairs, circuses and shows for parade and exhibition, or both, skating rinks and runners, and solicitors for steamboats, cars, stages, taxicabs, hotels, rooming houses, boarding houses, bathhouses, masseurs, hospitals, sanitariums, health schools, and all other pursuing like occupations.

2. Notwithstanding any other law to the contrary, the total license taxes, including those authorized under sections 94.360 and 94.270, imposed upon hotels or motels levied by any city may not exceed one-eighth of one percent of a hotel's or motel's gross revenue or the tax rate imposed on hotels and motels as of May 1, 2015, whichever is higher. The provisions of this section shall not apply to any tax levied in compliance with subsection 7 of section 94.270 or to any tax levied under section 92.045.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 15, Page 1, In the Title, Lines 2-3, by deleting the words, “a commission to study state tax policy” and inserting in lieu thereof the word, “taxation”; and

Further amend said bill, Page 4, Section 136.450, Line 92, by inserting immediately after said line the following:

“144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525

such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subdivision, "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish

new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a “material recovery processing plant” means a facility that has as its primary purpose the recovery of materials into a usable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(6) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(7) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(8) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(9) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(10) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(11) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(12) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(13) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (5) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, “processing” means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(14) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(17) Tangible personal property purchased by a rural water district;

(18) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation, provided, however, that a municipality or other political subdivision may enter into revenue-sharing agreements with private persons, firms, or corporations providing goods or services, including management services, in or for the place of amusement, entertainment or recreation, games or athletic events, and provided further that nothing in this subdivision shall exempt from tax any amounts retained by any private person, firm, or corporation under such revenue-sharing agreement;

(19) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(20) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(21) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (20) of this subsection

or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(22) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(23) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of **flooring and bedding used in the breeding of livestock or the** production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term “feed additives” means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term “pesticides” includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term “farm machinery and equipment” means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser’s purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(24) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) “Domestic use” means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual

purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(25) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(26) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(27) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(28) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(29) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(30) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such

livestock;

(31) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(32) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (5) of this subsection;

(33) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(34) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(35) All sales of grain bins for storage of grain for resale;

(36) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(37) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(38) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(39) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member

institution participating in the event;

(40) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(41) All materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(42) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event.

3. Any ruling, agreement, or contract, whether written or oral, express or implied, between a person and this state's executive branch, or any other state agency or department, stating, agreeing, or ruling that such person is not required to collect sales and use tax in this state despite the presence of a warehouse, distribution center, or fulfillment center in this state that is owned or operated by the person or an affiliated person shall be null and void unless it is specifically approved by a majority vote of each of the houses of the general assembly. For purposes of this subsection, an "affiliated person" means any person that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code of 1986, as amended, as the vendor or any other entity that, notwithstanding its form of organization, bears the same ownership relationship to the vendor as a corporation that is a member of the same controlled group of corporations as defined in Section 1563(a) of the Internal Revenue Code, as amended.

144.063. In addition to the exemptions granted under this chapter, there shall also be specifically exempted from state and local sales and use taxes defined, levied, or calculated under section 32.085, sections 144.010 to 144.525, sections 144.600 to 144.761, or section 238.235, all sales of fencing **and animal and livestock enclosure** materials used for agricultural purposes, and the purchase of motor fuel, as defined in section 142.800, therefor which is used for agricultural purposes."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 15, Lines 2 and 3 of the Title, by deleting the words "a commission to study state tax policy" and inserting in lieu thereof the word "taxation"; and

Further amend said bill, Page 4, Section 136.450, Line 92, by inserting after said line the following:

"144.058. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and sections 144.600 to 144.761 and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and sections 144.600 to 144.761, electrical energy and gas, whether natural, artificial, or propane; water, coal, and energy sources; chemicals, machinery, equipment, parts, and materials used or consumed in connection with or to facilitate the generation, transmission, distribution, sale, or furnishing of electricity for light, heat, or power; and any conduits, ducts, or other devices, materials, apparatus, or property for containing, holding, or carrying conductors used or to be used

for the transmission of electricity for light, heat, or power service to customers. The exemptions granted in this section shall not apply to local sales taxes as defined in section 32.085 and the provisions of this section shall be in addition to any other sales or use tax exemption provided by law.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 15 Page 2, Line 6, by inserting after all of said line the following:

“Further amend said bill, Page 4, Section 136.450, Line 92, by inserting immediately after said line the following:

“245.445. As soon as any levee district shall have been organized, as aforesaid, and in order to defray the expenses of surveys and estimates of levees or other works and costs thereof, maintain and repair the same, and pay such officers, agents, servants and employees as may be entitled to compensation, the said board of directors may order the assessment of a tax on all the lands within the levee district to be benefitted, not to exceed ten mills on the dollar, **except in a county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat the assessment shall not exceed twenty mills on the dollar**, on the valuation of the benefits thereon by reason of the work proposed or completed as returned by the assessor, and such tax may be assessed and levied for each and every year, and from year to year, whenever the board of directors may, from time to time, determine the same to be necessary; and all such taxes shall be a lien upon the lands in such districts until paid. In the event of a buyout of the lands of the district because of flood damage, in whole or in part, it shall be the responsibility of the entity acquiring any land within the district to satisfy in full any outstanding liens against the property acquired at the time of purchase. The amount of any outstanding lien for each parcel of property located within the district shall not exceed the property’s proportional liability to the outstanding bond issue. And whenever said board of directors shall have, by resolution, ordered the assessment of a tax, the secretary of the board, under his **or her** official seal, shall cause a certified copy of said order to be transmitted to the clerk of the county commission in which said levee district shall be situated, and in case such levee district shall be situated in two or more counties, then to the clerk of the county commission of each county in which any portion of said district may be situated; and the said tax shall be extended on the tax books of the county on the real estate to be benefitted, situated in said levee district, in the same manner that other taxes are now extended, in a column under the head of “Levee Fund Tax”, and shall be collected by the collector of the county in which the real estate is situated on which the tax is levied, at the same time the state and county taxes are collected, and when said tax shall be collected, the collector shall pay the same over to the treasurer of the county in which the greater portion of said levee district lies. All taxes assessed and levied under the provisions of sections 245.285 to 245.545, shall be collected in the same manner as provided by the general revenue law of the state for the collection of state and county revenue. All taxes not collected shall be returned delinquent at the same time and in the same manner as provided by the general revenue laws for the return of delinquent tax lists, and all writs for delinquent taxes assessed and levied, as aforesaid, shall be prosecuted in the name of the state of Missouri, at the same time, in the same manner and with like

effect as writs are prosecuted under the general revenue laws of the state relating to the collection of delinquent and back taxes.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 15, Page 1, Lines 2 and 3 of the Title, by deleting the words “a commission to study state tax liability”; and inserting in lieu thereof the words “taxation”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after said line the following:

“52.260. The collector in counties not having township organization shall collect on behalf of the county the following fees for collecting all state, county, bridge, road, school, back and delinquent, and all other local taxes, including merchants’, manufacturers’ and liquor and beer licenses, other than ditch and levee taxes, and the fees collected shall be deposited in the county general fund:

(1) In all counties wherein the total amount levied for any one year exceeds two hundred and fifty thousand dollars and is less than three hundred and fifty thousand dollars, a fee of two and one-half percent on the amount collected;

(2) In all counties wherein the total amount levied for any one year exceeds three hundred and fifty thousand dollars and is less than [two] **three** million dollars, a fee of two and one-half percent on the first three hundred and fifty thousand dollars collected and one percent on whatever amount may be collected over three hundred and fifty thousand dollars;

(3) In all counties wherein the total amount levied for any one year exceeds [two] **three** million dollars, a fee of one percent on the amounts collected.

108.280. **1.** Nothing contained in sections 108.240 to 108.300 shall prevent any county commission, city council, board of aldermen, board of trustees of any incorporated village, board of directors of any school district, board of supervisors of any drainage or levee district, or board of commissioners of any special road district, or other authority from levying a larger tax for the payment of maturing bonds[, or from applying other means to such purpose]. **Except as provided in subsection 2 of this section, the levy rate shall be set at the rate needed to meet the obligation of the bond payment and may be adjusted solely to meet such obligation.** It shall be the duty of the treasurer of such county, city, village, township, school district, drainage district or levee district, special or common road district, to certify, at least once in every fiscal year, to the state auditor the several amounts and numbers of bonds and coupons by him or through him redeemed, of his respective county, city, village, township, school district, drainage district, levee district, common or special road district, as the case may be, and he shall return such bonds and coupons, properly cancelled, to prevent their reissue, to the maker thereof, and the state shall not be deemed in any manner liable on account of any such bonds or coupons.

2. Notwithstanding the provisions of subsection 1 of this section, the levy rate set by any drainage or levee district for the payment of bonds shall be set at a rate determined by the board of supervisors in accordance with the provisions of chapters 242, 245, and 246.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 15, Page 1, Lines 2 and 3 of the Title, by deleting the words “a commission to study state tax liability”; and inserting in lieu thereof the words “taxation”; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

“135.760. 1. This section shall be known and may be cited as the “Missouri Earned Income Tax Credit Act”.

2. For all taxable years beginning on or after January 1, 2015, a resident individual who is allowed a federal earned income tax credit under Section 32 of the Internal Revenue Code of 1986, as amended, shall be allowed a credit against the tax otherwise due under chapter 143, not including sections 143.191 to 143.265, in an amount equal to twenty percent of the allowable federal earned income tax credit. The tax credit allowed by this section shall be claimed by such individual at the time such individual files a return and shall be applied against the income tax liability imposed by chapter 143 after reduction for all other credits allowed thereon. For taxpayers whose filing status is married filing separately, such taxpayers may elect to apply the tax credit to the income tax liability of either taxpayer, or may elect to apply the tax credit evenly to the income tax liability of each spouse. If the amount of the credit exceeds the tax liability, the difference shall not be refunded to the taxpayer.

3. Notwithstanding the provision of subsection 4 of section 32.057, the department of revenue or any duly authorized employee or agent shall determine whether any taxpayer filing a report or return with the department of revenue who has not applied for the credit allowed under this section may qualify for the credit, and shall notify any qualified claimant of the claimant’s potential eligibility, if the department determines such potential eligibility exists. In making a determination of eligibility under this section, the department shall use any appropriate and available data including, but not limited to, data available from the Internal Revenue Service, the U.S. Department of Treasury, and state income tax returns from previous tax years.

4. The department shall prepare an annual report containing statistical information regarding the tax credits issued under this section for the previous tax year, including the total amount of revenue expended on the earned income tax credit, the number of credits claimed, and the average value of the credits issued to taxpayers whose earned income falls within various income ranges determined by the department.

5. The department shall contract with one or more nonprofit groups to provide notice of the earned income tax credit to eligible taxpayers. The department shall require evidence of the effectiveness of the nonprofit group, the connection with the community in which the group operates, and the ability to contact taxpayers that are unlikely to claim the federal earned income tax credit including, but not limited to, non-English speakers, elderly, tenants, and very low-income taxpayers who do not file tax returns annually. The department shall give preference to nonprofit groups with members in low- and moderate-income areas, nonprofit groups with at least fifty-one percent of the board of directors having low- to moderate-incomes and residents of target communities, and to nonprofit groups that have a record of effective door-to-door outreach for similar community projects.

6. The director of the department of revenue shall promulgate rules and regulations to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.

7. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 15, Page 1, in the title, Lines 2-3, by deleting the words “a commission to study state tax policy” and inserting in lieu thereof the word “taxation”; and

Further amend said bill, Page 4, Section 136.450, Line 92, by inserting after all of said section and line the following:

“621.035. 1. Each administrative hearing commissioner shall have authority to exercise all powers granted to the administrative hearing commission without the concurrence of any other commissioner, except with respect to the rulemaking powers, in which all commissioners must concur. The method of assignment of petitions, appeals or other cases may be determined by rule or other agreement between the commissioners. Formal procedural requirements shall not be required of any complaint filed pursuant to any provision of law relating to the administrative hearing commission, and substantial compliance with the requirements of the law relating to the administrative hearing commission shall be deemed sufficient; however, all testimony in any hearing shall be under oath and an administrative hearing commissioner may administer oaths or affirmations to any witness. It shall not be necessary for a person to be represented by counsel in order to institute any such proceeding, and the administrative hearing commission shall adopt rules and procedures which shall facilitate the filing and processing of such complaints without formal representation. The administrative hearing commission may stay or suspend any action of an administrative agency pending the commission’s findings and determination in the cause. The administrative hearing commission may condition the issuance of such order upon the posting of bond or other security in such amount as the commission deems necessary to adequately protect the public interest.

2. Notwithstanding any provision of law to the contrary, in matters before the administrative

hearing commission relating to the assessment or reassessment of taxes or any other tax-related matter, an individual may be represented by the individual's tax preparer, enrolled agent, or certified public accountant.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 15, Page 1, In the Title, Lines 2 and 3, by deleting the words “a commission to study state tax policy” and inserting in lieu thereof the word “taxation”; and

Further amend said bill, Page 4, Section 136.450, Line 92, by inserting immediately after all of said section and line the following:

“137.018. 1. As used in this section, the term “merchandise” shall include short term rentals of equipment and other merchandise offered for short term rentals by rental companies under 532412 or 532210 of the 2012 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget, which will subsequently or ultimately sell such merchandise or equipment. As used in this section, the term “short term rental” shall mean rentals for a period of less than three hundred sixty-five consecutive days, for an undefined period, or under an open-ended contract.

2. For the purposes of article X, section 6 of the Constitution of Missouri, all merchandise held or owned by a merchant whether or not currently subject to a short term rental and which will subsequently or ultimately be sold shall be considered inventory and exempt from ad valorem taxes.

137.081. For purposes of assessment under this chapter, any new political subdivision that is created by approval of the voters before July first of any assessment year shall be considered effective for assessment purposes upon certification of such vote. If the new political subdivision is created by approval of the voters on or after July first of the current assessment year, the new political subdivision shall be considered effective for assessment purposes in the following assessment year.”;
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 35**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SS for SCR 25** relating to creating the Missouri Wildlife Revitalization Task Force.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 17**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 29**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed House Bill No. 150 the objections of the Governor thereto notwithstanding.

Also, the attached is a certified copy of the Roll Call on House Bill No. 150.

AYES: 109

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes	Basye
Beard	Bernskoetter	Berry	Bondon	Brattin	Brown 57	Brown 94	Burlison
Chipman	Cierpiot	Conway 104	Cookson	Cornejo	Crawford	Cross	Curtman
Davis	Dogan	Dohrman	Dugger	Eggleston	Engler	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin	Frederick	Gosen	Haahr
Haefner	Hansen	Hicks	Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubrecht	Hurst	Johnson	Jones	Justus	Keeney	Kelley
King	Koenig	Kolkmeier	Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mathews	McCaherty	McDaniel	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely	Parkinson	Pfautsch	Phillips
Pietzman	Pike	Redmon	Rehder	Reiboldt	Remole	Rhoads	Richardson
Roden	Roeber	Rone	Ross	Rowden	Rowland	Shaul	Shull
Shumake	Sommer	Spencer	Swan	Taylor	Vescovo	Walker	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker			

NOES: 53

Adams	Anders	Arthur	Black	Burns	Butler	Carpenter	Colona
Conway 10	Corlew	Curtis	Dunn	Ellington	English	Gannon	Gardner
Green	Harris	Hubbard	Hummel	Kendrick	Kidd	Kirkton	Kratky
LaFaver	Lavender	Marshall	May	McCann Beatty	McCreery	McDonald	McManus
McNeil	Meredith	Mims	Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Peters	Pierson	Pogue	Rizzo	Runions
Ruth	Smith	Solon	Walton Gray	Webber			

ABSENT: 0

VACANCIES: 1

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 44**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment to article III of the Constitution of Missouri, and adopting one new section relating to a bond issuance for the veterans home bond fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 131**, entitled:

An Act to repeal sections 135.710, 142.029, 143.121, 261.235, 266.301, 266.311, 266.331, 266.336, 266.341, 266.343, 266.347, 272.030, 272.230, 301.010, 304.180, 319.114, 351.120, 414.036, 414.082, 414.255, 537.345, 537.348, 578.005, 578.007, and 578.011, RSMo, and to enact in lieu thereof twenty-eight new sections relating to agriculture, with penalty provisions.

With House Amendment No. 1 to House Amendment No. 1 and House Amendment No. 1, as amended.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 131, Page 3, Line 15, by inserting after all of said line the following:

“Further amend said bill, Page 21, Section 267.169, Lines 1-18, by deleting all of said section from the bill; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 131, Page 13, Section 261.235, Line 86, by inserting after all of said section and line the following:

“261.241. 1. Sellers of [jams, jellies, and] honey whose annual sales of [jams, jellies, and] honey are [thirty] **fifty** thousand dollars or less per domicile shall not be required to construct or maintain separate facilities for the [manufacture] **bottling** of [jams, jellies, and] honey. Such sellers shall be exempt from all remaining health standards and regulations for the [manufacture] **bottling** of [jams, jellies, and] honey pursuant to sections 196.190 to 196.271 if they meet the following requirements:

(1) [Jams, jellies, and] Honey shall be [manufactured] **bottled** in the domicile of the person [processing] **harvesting** and selling the [jams, jellies, and] honey [and sold by the manufacturer to the end consumer];

(2) [Jams, jellies, and] Honey shall be labeled with the following information in legible English as set forth in subsection 2 of this section;

(3) [During the sale of such jams, jellies, and honey, a placard shall be displayed in a prominent location stating the following: “This product has not been inspected by the Department of Health and Senior Services.”];

(4)] Annual gross sales shall not exceed [thirty] **fifty** thousand dollars. The person [manufacturing] **harvesting** such [jams, jellies, and] honey shall maintain a record of sales of [jams, jellies, and] honey [processed] **bottled** and sold. The record shall be available to the regulatory authority when requested.

2. The [jams, jellies, and] honey shall be labeled with the following information:

(1) Name and address of the persons preparing the food;

(2) Common name of the food; **and**

(3) The name of all ingredients in the food[; and

(4) Statement that the jams, jellies, and honey have not been inspected by the department of health and senior services].

3. Sellers of [jams, jellies, and] honey who violate the provisions of this section may be enjoined from selling [jams, jellies, and] honey by the department of health and senior services.”; and

Further amend said bill, Pages 13-15, Section 261.320, Lines 1-69, by deleting all of said section from the bill; and

Further amend said bill, Page 15, Section 261.320, Line 69, by inserting after all of said section and line the following:

“262.960. 1. This section shall be known and may be cited as the “[Farm-to-School] **Farm-to-Table Act**”.

2. There is hereby created within the department of agriculture the “[Farm-to-School] **Farm-to-Table Program**” to connect Missouri farmers and [schools] **institutions** in order to provide [schools] **institutions** with locally grown agricultural products for inclusion in [school] meals and snacks and to strengthen local farming economies. **The department shall establish parameters for program goals, which shall include, but not be limited to, participating institutions purchasing at least five percent of their food products locally by December 31, 2018.** The department shall designate an employee to administer and monitor the [farm-to-school] **farm-to-table** program and to serve as liaison between Missouri farmers and [schools] **institutions**.

3. The following agencies shall make staff available to the Missouri [farm-to-school] **farm-to-table** program for the purpose of providing professional consultation and staff support to assist the implementation of this section:

(1) The department of health and senior services;

(2) The department of elementary and secondary education; [and]

(3) The office of administration; **and**

(4) The department of corrections.

4. The duties of the department employee coordinating the [farm-to-school] **farm-to-table** program shall include, but not be limited to:

(1) Establishing and maintaining a website database to allow farmers and [schools] **institutions** to connect whereby farmers can enter the locally grown agricultural products they produce along with pricing information, the times such products are available, and where they are willing to distribute such products;

(2) Providing leadership at the state level to encourage [schools] **institutions** to procure and use locally grown agricultural products;

(3) Conducting workshops and training sessions and providing technical assistance to [school] **institution** food service directors, personnel, farmers, and produce distributors and processors regarding the [farm-to-school] **farm-to-table** program; and

(4) Seeking grants, private donations, or other funding sources to support the [farm-to-school] **farm-to-table** program.

262.962. 1. As used in this section, section 262.960, and subsection 5 of section 348.407, the following terms shall mean:

(1) “**Institutions**”, facilities including, but not limited to, schools, correctional facilities, hospitals, nursing homes, and military bases;

(2) “Locally grown agricultural products”, food or fiber produced or processed by a small agribusiness or small farm;

[(2)] (3) “Schools”, includes any school in this state that maintains a food service program under the United States Department of Agriculture and administered by the school;

[(3)] (4) “Small agribusiness”, a qualifying agribusiness as defined in section 348.400, and located in Missouri with gross annual sales of less than five million dollars;

[(4)] (5) “Small farm”, a family-owned farm or family farm corporation as defined in section 350.010, and located in Missouri with less than two hundred fifty thousand dollars in gross sales per year.

2. There is hereby created a taskforce under the AgriMissouri **marketing** program established in section 261.230, which shall be known as the “[Farm-to-School] **Farm-to-Table** Taskforce”. The taskforce shall be made up of at least one representative from each of the following [agencies]: the University of Missouri extension service, the department of agriculture, **the department of corrections, the department of health and senior services**, the department of elementary and secondary education, [and] the office of administration, **and a representative from one of the military bases in the state**. In addition, the director of the department of agriculture shall appoint [two persons] **one person** actively engaged in the practice of small agribusiness. In addition, the [director of the department of elementary and secondary] **commissioner of education** shall appoint [two persons] **one person** from schools within the state who direct a food service program. **The director of the department of corrections shall appoint one person employed as a correctional facility food service director. The director of the department of health and senior services shall appoint one person employed as a hospital or nursing home food service director.** One representative for the department of agriculture shall serve as the chairperson for the taskforce and shall coordinate the taskforce meetings. The taskforce shall hold at least two meetings, but may hold more as it deems necessary to fulfill its requirements under this section. Staff of the department of agriculture may provide administrative assistance to the taskforce if such assistance is required.

3. The mission of the taskforce is to provide recommendations for strategies that:

(1) Allow [schools] **institutions** to more easily incorporate locally grown agricultural products into their cafeteria offerings, salad bars, and vending machines; and

(2) Allow [schools] **institutions** to work with food service providers to ensure greater use of locally grown agricultural products by developing standardized language for food service contracts.

4. In fulfilling its mission under this section, the taskforce shall review various food service contracts of [schools] **institutions** within the state to identify standardized language that could be included in such contracts to allow [schools] **institutions** to more easily procure and use locally grown agricultural products.

5. The taskforce shall prepare a report containing its findings and recommendations and shall deliver such report to the governor, the general assembly, and to the director of each [agency] **entity** represented on the taskforce [by no later than December 31, 2015] **no later than December thirty-first of each year.**

6. In conducting its work, the taskforce may hold public meetings at which it may invite testimony from experts, or it may solicit information from any party it deems may have information relevant to its duties under this section.

[7. This section shall expire on December 31, 2015.]; and

Further amend said bill, Page 15, Sections 265.475, Lines 1-20, by deleting all of said sections from the bill; and

Further amend said bill, Pages 34-35, Sections 319.114, by deleting all of said section from the bill; and

Further amend said bill, Page 35, Section 319.114, Line 28, by inserting after all of said section and line the following:

“348.407. 1. The authority shall develop and implement agricultural products utilization grants as provided in this section.

2. The authority may reject any application for grants pursuant to this section.

3. The authority shall make grants, and may make loans or guaranteed loans from the grant fund to persons for the creation, development and operation, for up to three years from the time of application approval, of rural agricultural businesses whose projects add value to agricultural products and aid the economy of a rural community.

4. The authority may make loan guarantees to qualified agribusinesses for agricultural business development loans for businesses that aid in the economy of a rural community and support production agriculture or add value to agricultural products by providing necessary products and services for production or processing.

5. The authority may make grants, loans, or loan guarantees to Missouri businesses to access resources for accessing and processing locally grown agricultural products for use in [schools] **institutions, as defined in section 262.962**, within the state.

6. The authority may, upon the provision of a fee by the requesting person in an amount to be determined by the authority, provide for a feasibility study of the person’s rural agricultural business concept.

7. Upon a determination by the authority that such concept is feasible and upon the provision of a fee by the requesting person, in an amount to be determined by the authority, the authority may then provide for a marketing study. Such marketing study shall be designed to determine whether such concept may be operated profitably.

8. Upon a determination by the authority that the concept may be operated profitably, the authority may provide for legal assistance to set up the business. Such legal assistance shall include, but not be limited to, providing advice and assistance on the form of business entity, the availability of tax credits and other

assistance for which the business may qualify as well as helping the person apply for such assistance.

9. The authority may provide or facilitate loans or guaranteed loans for the business including, but not limited to, loans from the United States Department of Agriculture Rural Development Program, subject to availability. Such financial assistance may only be provided to feasible projects, and for an amount that is the least amount necessary to cause the project to occur, as determined by the authority. The authority may structure the financial assistance in a way that facilitates the project, but also provides for a compensatory return on investment or loan payment to the authority, based on the risk of the project.

10. The authority may provide for consulting services in the building of the physical facilities of the business.

11. The authority may provide for consulting services in the operation of the business.

12. The authority may provide for such services through employees of the state or by contracting with private entities.

13. The authority may consider the following in making the decision:

(1) The applicant's commitment to the project through the applicant's risk;

(2) Community involvement and support;

(3) The phase the project is in on an annual basis;

(4) The leaders and consultants chosen to direct the project;

(5) The amount needed for the project to achieve the bankable stage; and

(6) The project's planning for long-term success through feasibility studies, marketing plans, and business plans.

14. The department of agriculture, the department of natural resources, the department of economic development and the University of Missouri may provide such assistance as is necessary for the implementation and operation of this section. The authority may consult with other state and federal agencies as is necessary.

15. The authority may charge fees for the provision of any service pursuant to this section.

16. The authority may adopt rules to implement the provisions of this section.

17. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 348.005 to 348.180 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.”; and

Further amend said bill, Page 37, Section 414.036, Lines 1-29, by deleting all of said section from the bill; and

Further amend said bill, Pages 38-42, Sections 414.255, 537.345, and 537.348, by deleting all of said

sections from the bill; and

Further amend said bill, Page 44, Section 578.040, Line 23, by inserting after all of said section and line the following:

“Section 1. 1. As used in this section the following terms shall mean:

(1) “BTU of gaseous biofuel”, British thermal unit of measurement to express the energy content of fuels. BTU is the expression of 1 BTU and use a conversion formula, as appropriate, that it publishes in the Federal Register as conversion factor for gaseous biofuel;

(2) “Gaseous biofuel”, derived from bio-waste material, including animal waste, animal processing waste, pre and post-consumer food waste, vegetative waste material, cardboard, and paper waste material through an anaerobic digester process and injected into the natural gas pipeline grid;

(3) “Gaseous biofuel certification”, biofuel that meets commercially-acceptable natural gas pipeline quality standards of the local market, that the flow meters used to determine the quantity of gaseous biofuel produced are industry standard and properly calibrated by a third-party professional, and the readings have been taken by a qualified individual;

(4) “MMBTU of gaseous biofuel”, British thermal unit of measurement to express the energy content of fuels. MMBTU is the expression of 1 million BTU and use a conversion formula, as appropriate, that it publishes in the Federal Register as conversion factor for gaseous biofuel;

(5) “Missouri qualified gaseous biofuel producer”, any producer of gaseous biofuel whose principal place of business and facility for the anaerobic digester and biofuel upgrading is located within the state of Missouri and is registered with the United States Environmental Protection Agency according to the requirements of 40 CFR 79 and which has made formal application, and conformed to the requirements of this section, and:

(a) Has registered with the department of agriculture by March 31, 2016;

(b) Has begun construction of the facility before July 31, 2016; and

(c) Has begun production of gaseous biofuel before December 31, 2016.

2. There is hereby created the “Missouri Qualified Gaseous Biofuel Producer Incentive Fund” that shall be used to provide economic subsidies to Missouri qualified gaseous biofuel producers. Upon appropriation, the director of the department of agriculture shall administer the fund. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

3. A Missouri qualified gaseous biofuel shall be eligible for a monthly grant from the fund provided that one hundred percent of the feedstock originates in the United States. However, the director may waive the feedstock requirements on a month-to-month basis if the facility provides verification that adequate feedstock is not available. A Missouri qualified gaseous biofuel producer shall only be eligible for the grant for a total of sixty months unless such producers during the sixty months fail, due to a lack of appropriations, to receive the full amount from the fund for which the producers were eligible, in which case such producers shall continue to be eligible until they have received the maximum amount of funding for which such producers were eligible during the original

sixty-month time period. The amount of the grant is determined by calculating the estimated BTU of qualified gaseous biofuel produced during the preceding month from feedstock, as certified by the department of agriculture, and applying such figure to the per-BTU incentive credit established in this subsection. Each Missouri qualified gaseous biofuel producer shall be eligible for a total grant in any fiscal year equal to two thousand three hundred forty-four millionths cents per BTU for the first five million MMBTU of qualified gaseous biofuel produced from feedstock in the fiscal year plus seven hundred eighty-one millionths cents per BTU for the next five million MMBTU of qualified biodiesel produced from feedstock in the fiscal year. All such qualified gaseous biofuel produced by a Missouri qualified gaseous biofuel producer in excess of ten million MMBTU shall not be applied to the computation of a grant pursuant to this subsection. The department of agriculture shall pay all grants for a particular month by the fifteenth day after receipt and approval of the application described in subsection 7 of this section.

7. In order for a Missouri qualified gaseous biofuel producer to obtain a grant from the fund, an application for such funds shall be received no later than fifteen days following the last day of the month for which the grant is sought. The application shall include:

- (1) The location of the Missouri qualified gaseous biofuel producer;
- (2) The average number of citizens of Missouri employed by the Missouri qualified gaseous biofuel producer in the preceding month, if applicable;
- (3) The number of ton equivalents of Missouri feedstock and out-of-state feedstock used by the Missouri qualified gaseous biofuel producer in the production of gaseous biofuel in the preceding month;
- (4) The number of BTU of qualified gaseous biofuel the producer manufactures during the month for which the grant is applied;
- (5) Any other information deemed necessary by the department of agriculture to adequately ensure that such grants shall be made only to Missouri qualified gaseous biofuel producers.

8. The director of the department of agriculture, in consultation with the department of revenue, shall promulgate rules and regulations necessary for the administration of the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be invalid and void.

9. This section shall expire on December 31, 2016. However, Missouri qualified gaseous biofuel producers receiving any grants awarded prior to December 31, 2016, shall continue to be eligible for the remainder of the original sixty-month time period under the same terms and conditions of this section unless such producer during such sixty months failed, due to a lack of appropriations, to receive the full amount from the fund for which he or she was eligible. In such case, such producers shall continue to be eligible until they have received the maximum amount of funding for which they were eligible during the original sixty-month time period.”; and

Further amend said bill, Page 45, Section 266.341, Line 52, by inserting after all of said section and line the following:

“Section B. The repeal and reenactment of sections 262.960, 262.962 and 348.407 of section A of this act shall become effective January 1, 2016.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 10**, entitled:

An Act to repeal sections 192.020 and 192.667, RSMo, and to enact in lieu thereof two new sections relating to infection reporting.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 10, Page 6, Section 192.667, Line 149, by deleting the words “[twelve] **twenty-four** months.” and inserting in lieu thereof the words “twelve months.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 317**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 145**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HB 686**, as amended, and has taken up and passed **SCS** for **HB 686**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HBs 116** and **569** and has taken up and passed **SCS** for **HCS** for **HBs 116** and **569**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS**, as amended, for **HCS** for **HB 613** and has taken up and passed **SCS** for **HCS**

for **HB 613**, as amended.

Emergency clause defeated.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HB 1098** and has taken up and passed **SCS** for **HB 1098**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended, for **HB 92** and has taken up and passed **SS** for **HB 92**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCS** for **HB 522**, **HB 34**, **HB 133**, **HB 134**, **HB 810**, **HB 338** and **HB 873** and has taken up and passed **SS** for **SCS** for **HB 522**, **HB 34**, **HB 133**, **HB 134**, **HB 810**, **HB 338** and **HB 873**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 709** and has taken up and passed **SCS** for **HCS** for **HB 709**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCS**, as amended, for **HB 799** and has taken up and passed **SS** for **SCS** for **HB 799**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HB 1070** and has taken up and passed **SCS** for **HB 1070**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1** to **HB 629** and has taken up and passed **HB 629**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS No. 2** for **SCS** for **SBs 199**, **417** and **42**, entitled:

An Act to repeal section 563.046 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session, and section 563.031, RSMo, and to enact in lieu thereof three new sections relating to judicial proceedings, with an emergency clause for a certain section and an effective date for a certain section.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for

Senate Bill Nos. 199, 417 & 42, Page 3, Section 478.252, Line 53, by inserting immediately after said section and line the following:

“558.046. The sentencing court may, upon petition, reduce any term of sentence or probation pronounced by the court or a term of conditional release or parole pronounced by the state board of probation and parole if the court determines that:

(1) The convicted person was:

(a) Convicted of an offense that did not involve violence or the threat of violence; [and]

(b) Convicted of an offense that involved alcohol or illegal drugs; and

(c) Convicted of an offense that did not result in the death of one or more persons;

(2) Since the commission of such offense, the convicted person has successfully completed a detoxification and rehabilitation program; and

(3) The convicted person is not:

(a) A prior offender, a persistent offender, a dangerous offender or a persistent misdemeanor offender as defined by section 558.016; [or]

(b) A persistent sexual offender as defined in section 566.125; or

(c) A prior offender[,] **or** a persistent offender [or a class X offender as defined in section 558.019].

558.046. The sentencing court may, upon petition, reduce any term of sentence or probation pronounced by the court or a term of conditional release or parole pronounced by the state board of probation and parole if the court determines that:

(1) The convicted person was:

(a) Convicted of a crime that did not involve violence or the threat of violence; [and]

(b) Convicted of a crime that involved alcohol or illegal drugs; and

(c) Convicted of a crime that did not result in the death of one or more persons;

(2) Since the commission of such crime, the convicted person has successfully completed a detoxification and rehabilitation program; and

(3) The convicted person is not:

(a) A prior offender, a persistent offender, a dangerous offender or a persistent misdemeanor offender as defined by section 558.016; [or]

(b) A persistent sexual offender as defined in section 558.018; or

(c) A prior offender[,] **or** a persistent offender [or a class X offender as defined in section 558.019].”;
and

Further amend said bill, Pages 5-6, Section B, by deleting all of said section and inserting in lieu thereof the following:

“Section B. Because of the need to clarify Missouri’s deadly force statute to align with supreme court precedent and to ensure that offenders convicted of a crime resulting in the death of any person are not released prematurely, the repeal and reenactment of section 563.046 as enacted by senate bill no. 60,

seventy-ninth general assembly, first regular session and the repeal and reenactment of section 558.046 as enacted by senate bill no. 167, eighty-seventh general assembly, first regular session are deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 563.046 as enacted by senate bill no. 60, seventy-ninth general assembly, first regular session and the repeal and reenactment of section 558.046 as enacted by senate bill no. 167, eighty-seventh general assembly, first regular session shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS**, as amended, for **HB 1149** and has taken up and passed **SCS** for **HB 1149**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 618** and has taken up and passed **SCS** for **HCS** for **HB 618**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HB 616** and has taken up and passed **SS** for **HB 616**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 2 on **HCS** for **SB 104**, as amended, and has taken up and passed **CCS No. 2** for **HCS** for **SB 104**.

Emergency clause defeated.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 2 on **HCS** for **SB 254**, as amended, and has taken up and passed **CCS No. 2** for **HCS** for **SB 254**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SCS** for **SB 67**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SCS** for **SB 67**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 445**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 445**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 392**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 20**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 354**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 321**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 500**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 87**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 18**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **SB 141**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 373**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 210**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 210**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS No. 3** for **SCS** for **SB 142**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 405**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 463**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 366**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 539**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 93**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 107**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 340**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 497**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 58**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 166**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 435**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 38**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has failed to adopt the Conference Committee Report on **SCS** for **HB 615**, and has failed to adopt the Senate Committee Substitute on **HB 615**.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Richard, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **CCS for HCS for SS for SCS for SB 5; SCS for SB 18; SB 20; HCS for SCS for SBs Nos. 34 and 105; SS for SB 58; CCS for HCS for SS for SCS for SB 67; SB 68; SS for SCS for SB 87; SCS for SB 93; CCS No. 2 for HCS for SB 104; SCS for SB 107; SB 116; SB 141; SS No. 3 for SCS for SB 142; SS for SCS for SB 145; HCS for SB 156; HCS for SB 164; SB 166; HCS for SS for SCS for SB 174; SCS for SB 190; SB 194; CCS for HCS for SCS for SB 210; SCS for SB 224; HCS for SB 231; HCS for SB 244; CCS No. 2 for HCS for SB 254; SB 272; SB 317; SB 318; SCS for SB 321; SB 334; HCS for SCS for SB 336; SCS for SB 340; HCS for SCS for SB 341; SCS for SB 345; SS for SCS for SB 354; SS for SB 366; SS for SB 373; SB 392; SB 405; SB 426; SCS for SB 435; CCS for HCS for SCS for SB 445; HCS for SCS for SB 456; SB 463; SB 474; SB 497; SB 500; SB 524; and SCS for SB 539**, begs leave to report that it has examined the same and finds that the bills have been duly enrolled and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 2**, begs leave to report that it has examined the same and finds that the concurrent resolution has been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS for HCS for SS for SCS for SB 5; SCS for SB 18; SB 20; HCS for SCS for SBs 34 and 105; SS for SB 58; CCS for HCS for SS for SCS for SB 67; SB 68; SS for SCS for SB 87; SCS for SB 93; CCS No. 2 for HCS for SB 104; SCS for SB 107; SB 116; SB 141; SS No. 3 for SCS for SB 142; SS for SCS for SB 145; HCS for SB 156; HCS for SB 164; SB 166; HCS for SS for SCS for SB 174; SCS for SB 190; SB 194; CCS for HCS for SCS for SB 210; SCS for SB 224; HCS for SB 231; HCS for SB 244; CCS No. 2 for HCS for SB 254; SB 272; SB 317; SB 318; SCS for SB 321; SB 334; HCS for SCS for SB 336; SCS for SB 340; HCS for SCS for SB 341; SCS for SB 345; SS for SCS for SB 354; SS for SB 366; SS for SB 373; SB 392; SB 405; SB 426; SCS for SB 435; CCS for HCS for SCS for SB 445; HCS for SCS for SB 456; SB 463; SB 474; SB 497; SB 500; SB 524; and SCS for SB 539**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

SIGNING OF CONCURRENT RESOLUTIONS

The President Pro Tem announced that all other business would be suspended and **SCR 1 and SCR 2**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, be signed to the end that they shall have the full force and effect of law. No objections being made, the concurrent resolutions were read by the Secretary and signed by the President Pro Tem.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SS for SCS for HCS for HB 17; SCS for HCS for HB 18; SCS for HCS for HB 19; SCS for HB 41; CCS for SCS for HCS for HB 42; SCS for HCS for HB 50; HB 88; SS for HB 92; HB 111; SCS for HCS for HBs 116 and 569; HB 125; SS for HCS for HB 137; HB 179; HB 269; HB 326; SCS for HB 343; HB 361; HCS for HB 385;**

HB 391; HB 400; HB 402; SCS for HB 403; HB 404; HB 501; HB 511; HB 514; HB 515; SS for SCS for HCS for HBs 517 and 754; SS for SCS for HB 522, HB 34, HB 133, HB 134, HB 810, HB 338, HB 873; HB 524; HB 531; HB 567; HCS for HB 587; SCS for HCS for HB 613; SS for HB 616; SCS for HCS for HB 618; HB 629; HB 650; SCS for HB 686; SCS for HCS for HB 709; SS No. 2 for HCS for HB 722; HCS for HB 769; HB 778; SS for SCS for HB 799; HB 859; HB 861; HB 869; HB 874; SCS for HB 878; SCS for HB 947; HB 1022; HB 1052; SCS for HB 1070; SCS for HB 1098; HB 1116; HB 1119; and SCS for HB 1149, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

BILLS DELIVERED TO THE GOVERNOR

CCS for HCS for SS for SCS for SB 5; SCS for SB 18; SB 20; HCS for SCS for SBs 34 and 105; SS for SB 58; CCS for HCS for SS for SCS for SB 67; SB 68; SS for SCS for SB 87; SCS for SB 93; CCS No. 2 for HCS for SB 104; SCS for SB 107; SB 116; SB 141; SS No. 3 for SCS for SB 142; SS for SCS for SB 145; HCS for SB 156; HCS for SB 164; SB 166; HCS for SS for SCS for SB 174; SCS for SB 190; SB 194; CCS for HCS for SCS for SB 210; SCS for SB 224; HCS for SB 231; HCS for SB 244; CCS No. 2 for HCS for SB 254; SB 272; SB 317; SB 318; SCS for SB 321; SB 334; HCS for SCS for SB 336; SCS for SB 340; HCS for SCS for SB 341; SCS for SB 345; SS for SCS for SB 354; SS for SB 366; SS for SB 373; SB 392; SB 405; SB 426; SCS for SB 435; CCS for HCS for SCS for SB 445; HCS for SCS for SB 456; SB 463; SB 474; SB 497; SB 500; SB 524; and SCS for SB 539, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

CONCURRENT RESOLUTIONS DELIVERED TO THE GOVERNOR

SCR 1 and SCR 2, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

COMMUNICATIONS

Senator Sifton submitted the following:

May 20, 2015

Hon. Tom Dempsey
President Pro Tem, Missouri State Senate
Room 326, State Capitol
Jefferson City, MO 65101

Mr. President Pro Tem:

I respectfully submit that Senate Rule 73 was misconstrued in several instances on May 12, 2015. Specifically, I made several adjournment motions on that date immediately subsequent to previous question motions by the Senator from Phelps on SCS/HCS/HBs 116 and 569. My motions were ruled out of order, in my view in violation of Senate Rule 73.

Senate Rule 73 clearly delineates the hierarchy of precedence for privileged motions. It states "When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely, which several motions shall have precedence in the order in which they are arranged."

While a previous question motion is privileged and does take precedence over certain other privileged motions – such as motions to postpone to a day certain, to commit or amend and to postpone indefinitely – it is clear that under the plain language of Senate Rule 73 that

a previous question motion does not have precedence over a motion to adjourn or to lay on the table.

My adjournment motions were clear and timely. In the debate on the point of orders raised, I both cited Senate Rule 73 and correctly asserted that my adjournment motions took precedence over the previous question motions. Senate Rule 73 was also read in its entirety by another Senator during the debate of one of the points of order.

Under the circumstances, I find it inescapable that Senate Rule 73 was misinterpreted in each of the instances where it was held that a motion for previous questions took precedence over a motion to adjourn. It is my sincere hope that in the future Senate Rule 73 will be construed in the manner I submitted yesterday and again today.

I request that this letter be printed in the Journal of the Senate for this day.

Very truly yours,



Scott Sifton
Senator, District 1

RESOLUTIONS

On behalf of Senator Wallingford, Senator Dempsey offered Senate Resolution No. 1158, regarding Blanchard Elementary School, Cape Girardeau, which was adopted.

Senator Kehoe offered Senate Resolution No. 1159, regarding Charlotte Ann (Kemp) Stubblefield, which was adopted.

On behalf of Senator Schatz, Senator Dempsey offered Senate Resolution No. 1160, regarding Warren Edward Kaemmerer, Chesterfield, which was adopted.

On behalf of Senator Pearce, Senator Dempsey offered Senate Resolution No. 1161, regarding Sharol McMullin, Lexington, which was adopted.

On behalf of Senator Pearce, Senator Dempsey offered Senate Resolution No. 1162, regarding Kimberly Holger, Holden, which was adopted.

On behalf of Senator Pearce, Senator Dempsey offered Senate Resolution No. 1163, regarding Captain Edmond Blackburn, Sr., Hamilton, which was adopted.

On behalf of Senator Pearce, Senator Dempsey offered Senate Resolution No. 1164, regarding Bruce E. Howey, Warrensburg, which was adopted.

On behalf of Senator Pearce, Senator Dempsey offered Senate Resolution No. 1165, regarding Major Asher E. Snook, Jr., Warrensburg, which was adopted.

On behalf of Senator Kraus, Senator Dempsey offered Senate Resolution No. 1166, regarding Lee's Summit R-VII School District, Jackson County, which was adopted.

On behalf of Senator Kraus, Senator Dempsey offered Senate Resolution No. 1167, regarding Tyler J. Krause, Blue Springs, which was adopted.

On behalf of Senator Kraus, Senator Dempsey offered Senate Resolution No. 1168, regarding Maryn White, Lee's Summit, which was adopted.

On behalf of Senator Hegeman, Senator Dempsey offered Senate Resolution No. 1169, regarding Wally Gray, Maryville, which was adopted.

On behalf of Senator Hegeman, Senator Dempsey offered Senate Resolution No. 1170, regarding the Sixtieth Wedding Anniversary of Lynn and Pat Barry, Cameron, which was adopted.

On behalf of Senator Hegeman, Senator Dempsey offered Senate Resolution No. 1171, regarding the Fiftieth Wedding Anniversary of Jim and Linda Barber, Bethany, which was adopted.

On behalf of Senator Hegeman, Senator Dempsey offered Senate Resolution No. 1172, regarding the Sixty-fifth Wedding Anniversary of Maurice and Cleta Wright, Cameron, which was adopted.

On behalf of Senator Silvey, Senator Dempsey offered Senate Resolution No. 1173, regarding Kate Certain, Kansas City, which was adopted.

On behalf of Senator Silvey, Senator Dempsey offered Senate Resolution No. 1174, regarding Christine McDonald, Saint Charles, which was adopted.

On behalf of Senator Silvey, Senator Dempsey offered Senate Resolution No. 1175, regarding Larry Henderson, Kansas City, which was adopted.

On behalf of Senator Silvey, Senator Dempsey offered Senate Resolution No. 1176, regarding Danny Crocket, Kansas City, which was adopted.

On behalf of Senator Keaveny, Senator Dempsey offered Senate Resolution No. 1177, regarding Ralph M. Captain Elementary School, Clayton, which was adopted.

On behalf of Senator Keaveny, Senator Dempsey offered Senate Resolution No. 1178, regarding Kennard Classical Junior Academy, St. Louis, which was adopted.

On motion of Senator Kehoe, the Senate adjourned pursuant to the Constitution.

PETER KINDER
Lieutenant Governor

ADRIANE D. CROUSE
Secretary of the Senate

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SUPPLEMENT
MESSAGES FROM THE GOVERNOR
(Received after May 30, 2015)

EXECUTIVE OFFICE
State of Missouri
Room 216
State Capitol
Jefferson City 65101

July 9, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 5 entitled:

AN ACT

To repeal section 302.341, RSMo, and to enact in lieu thereof twelve new sections relating to local government.

On July 9, 2015, I approved said Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 5.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 6, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 18 entitled:

AN ACT

To repeal section 144.021, RSMo, and to enact in lieu thereof one new section relating to notice of sales tax modifications.

On July 6, 2015, I approved said Senate Committee Substitute for Senate Bill No. 18.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 10, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 20 entitled:

AN ACT

To repeal section 144.054, RSMo, and to enact in lieu thereof one new section relating to a sales tax exemption for commercial laundries.

I disapprove of Senate Bill No. 20. My reasons for disapproval are as follows:

Senate Bill No. 20 would exempt commercial laundries and dry cleaners from paying state and local sales and use tax on their purchases of materials, goods, machinery, electrical energy and gas, chemicals, soaps, detergents, cleaning and sanitizing agents, and other ingredients used to treat, clean and sanitize textiles. The new tax exemptions would be available for large commercial and industrial laundries and dry cleaners – approximately 48 facilities owned by 29 different companies that process at least 500 pounds per hour and 60,000 pounds per week. There is no requirement that a benefitting business create any new jobs to take advantage of these broad new exemptions. This provision would result in a projected \$2 million annual reduction in state revenue as well as an additional \$2 million reduction projected for local jurisdictions.

The special tax break for commercial laundries contained in Senate Bill No. 20 is not the mere clarification of existing sales and use tax law that supporters claim. Instead, this provision would seek to overrule 25 years of legal precedent holding that cleaning dirty clothes is not the same as manufacturing. In 1989, the Missouri Supreme Court first “plumbed the sudsy depths of various sales and use tax exemptions and found no application to commercial laundry operations.” *AAA Laundry & Linen Supply Co. v. Director of Revenue*, 425 S.W.3d 126, 127 (Mo. Banc 2014) (discussing *Unitog Rental Services, Inc. v. Director of Revenue*, 799 S.W.2d 568 (Mo. Banc1989)). As recently as last year, the court similarly rejected a commercial laundry’s attempt to avoid paying its taxes, reiterating that, as in 1989, the laws enacted by the General Assembly did not provide a tax exemption. *Id.* at 127-29. Since that decision, these commercial laundries have spent the last two years lobbying lawmakers for tailor-made exemptions that would treat ironing out wrinkles as “processing” a shirt and getting grass stains out as “manufacturing” a pair of pants, thereby abrogating a quarter century of law and relieving the laundries of their existing legal obligations.

Last year, this provision was slipped into Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 (2014), which was met with my disapproval. As with Senate Bill No.

662 (2014), Senate Bill No. 20 continues an effort to promote poor tax policy by drawing a seemingly arbitrary distinction between the laundries and dry cleaners fortunate enough to gain this generous new benefit and the rest that are left out to dry. Under this provision, a laundry that processes 59,999 pounds per week would have to continue paying their taxes, but a laundry processing a single pound more would be entitled to broad new exemptions from state and local taxes. This distorts the free market and puts smaller laundries and dry cleaners (not to mention the Missouri families who are doing their own laundry) in the position of subsidizing the operations of larger ones. The commercial laundries might be getting their detergent tax-free, but the rest of Missouri taxpayers would be getting taken to the cleaners.

Senate Bill No. 20 does not simply give commercial laundries and dry cleaners the same tax exemptions enjoyed by other businesses. It gives them more lucrative ones. Although some of the tax exemptions available to manufacturers are limited solely to state taxes, these new exemptions for laundries would apply to local taxes as well. With this provision, the General Assembly would be privileging washing dirty clothes over manufacturing new products, giving commercial dry cleaners and laundries a better deal than Missouri manufacturers without any clearly-articulated economic justification for doing so and without requiring the creation of even a single new job.

The commercial laundry exemption provided by Senate Bill No. 20 represents poor tax policy and cannot receive my approval.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 20 without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 25, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 34 and 105 entitled:

AN ACT

To repeal sections 115.135, 115.275, 115.277, 115.279, 115.283, 115.287, 115.291, 115.912, and 115.940, RSMo, and to enact in lieu thereof eight new sections relating to military and overseas voter registration, with an emergency clause.

On June 25, 2015, I approved said House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 34 and 105.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 13, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Bill No. 58 entitled:

AN ACT

To repeal sections 8.597, 21.440, 21.445, 21.450, 21.455, 21.460, 21.465, 21.530, 21.535, 21.537, 21.830, 21.835, 21.850, 21.920, 30.953, 30.954, 30.956, 30.959, 30.962, 30.965, 30.968, 30.971, 33.150, 33.710, 33.850, 37.250, 43.518, 99.863, 99.971, 99.1057, 160.530, 167.195, 191.828, 191.934, 192.632, 215.261, 215.262, 217.550, 217.567, 313.001, 320.092, 338.321, 348.439, 361.120, and 630.010, RSMo, and section 105.955 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and to enact in lieu thereof eleven new sections relating to the existence of certain committees.

On July 13, 2015, I approved said Senate Substitute for Senate Bill No. 58.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 10, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 67 (Senate Bill No. 67) entitled:

AN ACT

To repeal sections 67.320, 476.083, 534.350, 534.360, 535.030, 535.110, and 535.160, RSMo, and to enact in lieu thereof ten new sections relating to courts.

I disapprove of Senate Bill No. 67. My reasons for disapproval are as follows:

Like House Bill No. 799, Senate Bill No. 67 would authorize more court fees to fund an array of local capital projects. In doing so, it continues what has evolved into a regular legislative exercise of imposing additional court fees. Local capital projects should be funded through existing local revenues or, with

voter approval, new revenue sources rather than through a back-door tax in the form of court user fees. For that reason, Senate Bill No. 67 cannot receive my support.

Senate Bill No. 67 would authorize new court fees and expand existing court fees in specific judicial circuits to be used by jurisdictions identified in the legislation. These new and expanded court fees, ranging from one to fifty dollars, would be in addition to the myriad of court fees already imposed in criminal and civil cases across our state. Moreover, these court fees would not be limited to state courts. Senate Bill No. 67 would authorize these fees be imposed on many county and municipal ordinance violations. The cumulative impact of these court fees is harmful to those that find themselves involved in court proceedings and could pose a barrier to court access for civil litigants.

The proliferation of excessive court fees is recasting the role of the courts into revenue generators for special projects. Court fees and surcharges should not be used as an alternative form of taxation. If a local government wants to raise revenue for its building projects, that question should be submitted to the voters for their approval rather than using the courts as a back-door revenue source. The increasingly common practice of looking to the courts to raise funds must stop. I previously approved Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 5 based on the belief that our courts should serve justice rather than generate revenue, and for those reasons the court fee increases in Senate Bill No. 67 will not receive my approval.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 67 without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 30, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 68 entitled:

AN ACT

To repeal section 349.045, RSMo, and to enact in lieu thereof one new section relating to boards of directors for industrial development corporations.

On June 30, 2015, I approved said Senate Bill No. 68.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon

Governor

June 30, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for Senate Bill No. 87 entitled:

AN ACT

To repeal section 29.230, RSMo, and to enact in lieu thereof one new section relating to audits of political subdivisions.

On June 30, 2015, I approved said Senate Substitute for Senate Committee Substitute for Senate Bill No. 87.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 14, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 93 entitled:

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to free speech at public institutions of higher education.

On July 14, 2015, I approved Senate Committee Substitute for Senate Bill No. 93.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 14, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 104 entitled:

AN ACT

To repeal sections 115.342, 115.348, 115.350, 116.190, 162.481, 162.491, 178.820, RSMo, and sections 162.025 and 162.491 as enacted by house bill no. 63, ninety-eighth general assembly, first regular session, and to enact in lieu thereof seven new sections relating to elections.

On July 14, 2015, I approved said Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 104.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 14, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 107 entitled:

AN ACT

To repeal sections 345.015, 345.020, 345.022, 345.025, 345.040, 345.050, 345.051, 345.065, and 345.080, RSMo, and to enact in lieu thereof nine new sections relating to professions regulated under the division of professional registration.

On July 14, 2015, I approved said Senate Committee Substitute for Senate Bill No. 107.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 25, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 116 entitled:

AN ACT

To repeal section 167.020, RSMo, and to enact in lieu thereof one new section relating to school district residency for children of certain military members, with existing penalty provisions.

On June 25, 2015, I approved said Senate Bill No. 116.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 24, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 141 entitled:

AN ACT

To repeal section 595.030, RSMo, and to enact in lieu thereof one new section relating to the crime victims' compensation program.

On June 24, 2015, I approved said Senate Bill No. 141.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 10, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill No. 142 (Senate Bill No. 142) entitled:

AN ACT

To amend chapter 640, RSMo, by adding thereto one new section relating to implementation impact reports.

I disapprove of Senate Bill No. 142. My reasons for disapproval are as follows:

Senate Bill No. 142 contains drafting errors that vitiate its intended purpose. Senate Bill No. 142 would require the department of natural resources to submit to the general assembly an “implementation

impact report” regarding state plans to comply with the federal Clean Air Act and Clean Water Act. The report and the plan itself would be required to be submitted 45 days before the plan is submitted to the United States Environmental Protection Agency.

In imposing this requirement for plans regarding clean air, Senate Bill No. 142 requires the department to prepare and submit a report when it is “developing, amending, or revising . . . state plans to comply with federal regulations relating to carbon emissions for existing-source performance standards (42 U.S.C. Section 7412).” (Senate Bill No. 142, page 1, lines 4-6). The referenced section – 42 U.S.C. Section 7412 – is part of the Clean Air Act, but it contains no requirement that a state submit a plan “relating to carbon emissions for existing-source performance standards.” It appears that the drafters meant to cite to 42 U.S.C. 7411, under which, among other things, states must develop and submit plans to address emissions of carbon dioxide and other greenhouse gases. In addition, on page 3, line 86, Senate Bill No. 142 cites to “33 U.S.C. Section 12541, et seq.” There is no such section in federal law.

These drafting errors take an already complex area of state and federal law and confuses it further. Given the stakes for those impacted, I cannot approve legislation that will cause uncertainty for companies doing business in Missouri.

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill No. 142 without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 19, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for Senate Bill No. 145 entitled:

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to the treatment of eating disorders.

On June 19, 2015, I approved said Senate Substitute for Senate Committee Substitute for Senate Bill No. 145.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 25, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Bill No. 156 entitled:

AN ACT

To amend chapter 227, RSMo, by adding thereto eight new sections relating to highway designations.

On June 25, 2015, I approved said House Committee Substitute for Senate Bill No. 156.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 10, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Bill No. 164 entitled:

AN ACT

To repeal sections 375.534, 375.1070, 375.1072, 376.370, 376.380, 376.670, 456.950, and 513.430, RSMo, and to enact in lieu thereof twelve new sections relating to financial transactions.

On July 10, 2015, I approved said House Committee Substitute for Senate Bill No. 164.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 6, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 166 entitled:

AN ACT

To repeal section 301.3165, RSMo, and to enact in lieu thereof one new section relating to special license plates.

On July 6, 2015, I approved Senate Bill No. 166.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 29, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 174 entitled:

AN ACT

To amend chapter 166, RSMo, by adding thereto ten new sections relating to the Missouri Achieving a Better Life Experience program.

On June 29, 2015, I approved said House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 174.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 13, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 190 entitled:

AN ACT

To repeal section 92.402, RSMo, and to enact in lieu thereof one new section relating to public mass transportation sales taxes.

On July 13, 2015, I approved said Senate Committee Substitute for Senate Bill No. 190.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 22, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 194 entitled:

AN ACT

To repeal section 135.155, RSMo, and to enact in lieu thereof one new section relating to tax credits for business facilities.

On June 22, 2015, I approved said Senate Bill No. 194.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 1, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 210 entitled:

AN ACT

To repeal sections 190.839, 198.439, 208.152, 208.437, 208.480, 338.550, and 633.401, RSMo, and to enact in lieu thereof eight new sections relating to health care.

On July 1, 2015, I approved Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 210.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 11, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 224 (Senate Bill No. 224) entitled:

AN ACT

To repeal section 160.545, RSMo, and to enact in lieu thereof one new section relating to eligibility criteria for reimbursements from the A+ schools program.

I disapprove of Senate Bill No. 224. My reasons for disapproval are as follows:

Senate Bill No. 224 would unfairly deny a group of students their eligibility for A+ financial aid, an

educational benefit that they have earned, having met all the educational standards that apply, usually after overcoming significant odds against them. Its unwarranted exclusion of these meritorious students cannot be condoned.

Under existing Missouri law (section 173.1110.1, RSMo), students who are unlawfully present in the United States are not eligible for “a postsecondary education public benefit.” One of these benefits includes eligibility for A+ financial aid. This eligibility is distinguished from the criteria for Bright Flight and Access Missouri scholarships, both of which require that recipients are “citizens or permanent residents of the United States.”

A number of mechanisms exist in current Missouri law for students to prove that they are legally present in the U.S. One of them is “any document issued by the federal government that confirms an alien’s lawful presence in the United States.” Such documentation now includes the U.S. Department of Homeland Security’s determination that a student meets the criteria for Deferred Action for Childhood Arrivals (DACA), under guidelines established in 2012.

Senate Bill No. 224’s sole purpose is to deny students, deemed to be lawfully present in the United States, from being A+ eligible.

Who are these students? They came to the U.S. through no choice or action of their own. They arrived as young dependents, in the controlling embrace of an adult who entered the U.S. illegally. They bear no responsibility for this action.

Because DACA students have had to be continuously present in the United States since June 15, 2007, students who are, or who will be, graduating from high school would have had to be 10 years old or younger when they were brought to the U.S. DACA status requires eligible individuals to be in school currently, or to have graduated from high school, or to be honorably discharged from the United States Military. And it requires that they have not been convicted of a felony, significant misdemeanor, or three or more misdemeanors.

A group of DACA students have now lived in Missouri for at least eight years and have met every standard for A+ financial aid. They have attended a public Missouri high school for at least three years. They have earned at least a 2.5 GPA. They have maintained a 95% attendance rate. They have volunteered in their communities or tutored other students. And they have done so while overcoming daunting obstacles such as learning English, living in fear of deportation, and facing the constant stigma of being an alien.

Senate Bill No. 224 is the legislature's attempt to deny these students the A+ benefit they have otherwise earned. Rather than discouraging the continuing education of these students, the state has an interest in encouraging their successful participation in higher education so that they have an opportunity to pursue productive careers and make positive contributions to the state of Missouri.

Senate Bill No. 224 is a harsh measure imposed unfairly on children who have done nothing wrong. Quite to the contrary, they have done much to be admired, in their studies, for their schools, and on behalf of their communities. Rather than rewarding them for their achievements, Senate Bill No. 224 singles them out for exclusion. Consequently, Senate Bill No. 224 cannot receive my support.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 224 without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 24, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Bill No. 231 entitled:

AN ACT

To repeal sections 142.815, 144.030, and 306.100, RSMo, and to enact in lieu thereof four new sections relating to watercraft.

On June 24, 2015, I approved said House Committee Substitute for Senate Bill No. 231.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 12, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Bill No. 244 entitled:

AN ACT

To amend chapter 409, RSMo, by adding thereto seven new sections relating to the financial exploitation of certain elderly and disabled individuals.

On June 12, 2015, I approved said House Committee Substitute for Senate Bill No. 244.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 13, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 254 entitled:

AN ACT

To repeal sections 301.130, 301.142, 301.196, 301.3097, 302.010, 302.525, 302.574, 478.007, 577.013, and 577.014, RSMo, section 302.060 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 302.304 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 302.309 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 577.001 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, section 577.010 as enacted by house bill no. 1371, ninety-seventh general assembly, second regular session, and section 577.012 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and to enact in lieu thereof seventeen new sections relating to motor vehicles, with an effective date for certain sections and penalty provisions.

On July 13, 2015, I approved said Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 254.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 12, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 272 entitled:

AN ACT

To repeal section 304.190, RSMo, and to enact in lieu thereof one new section relating to municipal commercial zones.

On June 12, 2015, I approved said Senate Bill No. 272.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 10, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 317 entitled:

AN ACT

To authorize the conveyance by the governor of property owned by the state of Missouri to the state highways and transportation commission.

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On July 10, 2015, I approved Senate Bill No. 317.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 25, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 318 entitled:

AN ACT

To amend chapter 227, RSMo, by adding thereto three new sections relating to the designation of a highway.

On June 25, 2015, I approved said Senate Bill No. 318.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 8, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 321 entitled:

AN ACT

To repeal sections 455.010, 455.020, 455.032, 455.040, 455.045, 455.050, 455.080, 455.503, 455.505, 455.513, 455.520, and 455.523, RSMo, section 455.085 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 455.085 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, section 455.538 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 455.538 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, and to enact in lieu thereof fourteen new sections relating to court orders of protection that prohibit contact with victims of sexual offenses, with penalty provisions.

On July 8, 2015, I approved Senate Committee Substitute for Senate Bill No. 321.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 14, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 334 entitled:

AN ACT

To repeal sections 174.030, 174.310, and 174.332, RSMo, and to enact in lieu thereof three new sections relating to boards of regents of state colleges and universities.

On July 14, 2015, I approved Senate Bill No. 334.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 22, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Committee Substitute for Senate Bill No. 336 entitled:

AN ACT

To repeal section 143.191, RSMo, and to enact in lieu thereof one new section relating to income tax withholding on tips.

On June 22, 2015, I approved said House Committee Substitute for Senate Committee Substitute for Senate Bill No. 336.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 10, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 340 entitled:

AN ACT

To repeal section 473.663, RSMo, and to enact in lieu thereof one new section relating

to the determination of heirship.

On July 10, 2015, I approved said Senate Committee Substitute for Senate Bill No. 340.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 8, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Committee Substitute for Senate Bill No. 341 entitled:

AN ACT

To repeal sections 210.003, 210.221, 210.861, 455.010, 455.020, 455.032, 455.040, 455.045, 455.050, 455.080, 455.503, 455.505, 455.513, 455.520, and 455.523, RSMo, section 455.085 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, section 455.085 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, section 455.538 as enacted by senate bill no. 491, ninety-seventh general assembly, second regular session, and section 455.538 as enacted by house bill no. 215, ninety-seventh general assembly, first regular session, and to enact in lieu thereof twenty-one new sections relating to the protection of vulnerable persons, with penalty provisions.

On July 8, 2015, I approved said House Committee Substitute for Senate Committee Substitute for Senate Bill No. 341.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 7, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 345 entitled:

AN ACT

To repeal sections 361.707, 361.715, 364.030, 364.105, 365.030, 367.140, 407.640, 408.140, 408.500, and 443.719, RSMo, and to enact in lieu thereof ten new sections relating to financial transactions, with an existing penalty provision.

I disapprove of Senate Committee Substitute for Senate Bill No. 345. My reasons for disapproval are as follows:

Senate Committee Substitute for Senate Bill No. 345 would increase the fee that lenders can charge consumers for many loans that are for periods of 30 days or longer. Current law limits this fee to 10% of the principal up to \$75, but this bill would increase the fee to 10% of the principal up to \$100. This means that most consumer credit loans over \$750, not secured by a mortgage, could see a fee increase. Consumer credit loans of \$1,000 *or more* could have a \$100 fee, where lenders can currently only charge \$75. This is an approximately 33% increase in the fee on a large portion of loans made to Missourians.

The loans affected by this bill are offered by banks, credit unions, finance companies, consumer installment lenders, title loan companies, and small loan companies. These loans include everything from a car loan from a bank to a loan for unexpected home repairs from a store-front lender in a strip mall.

This fee increase will have the most impact on consumers of limited means who take out relatively small loans and would have a repetitive financial impact as they could be charged on any extension, refinance, restructure or renewal of the loan, if there is “any investigation” on the subsequent application.

Unlike interest, which is typically earned day-by-day, lenders earn this fee at the time the loan is entered into, so even if a person repaid the loan early, Senate Committee Substitute for Senate Bill No. 345 would cost them more money.

This is the second time in two years that Missourians have seen an increase in fees on small loans, as the General Assembly gave lenders the ability to increase this fee in 2013 by overriding my veto of Senate Committee Substitute for House Bill No. 329 and increasing the percentage of this fee from 5% up to \$75 to 10% up to \$75.

Allowing lenders to charge Missourians more in fees is not the way to move Missouri forward, therefore Senate Committee Substitute for Senate Bill No. 345 does not receive my approval.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 345 without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 2, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for Senate Bill No. 354 entitled:

AN ACT

To amend chapter 192, RSMo, by adding thereto one new section relating to amino acid-based elemental formulas.

On July 2, 2015, I approved said Senate Substitute for Senate Committee Substitute for Senate Bill No. 354.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 14, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Bill No. 366 entitled:

AN ACT

To repeal section 166.435, RSMo, and to enact in lieu thereof two new sections relating to the Missouri higher education savings program, with a contingent effective date.

On July 14, 2015, I approved Senate Substitute for Senate Bill No. 366.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 14, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Bill No. 373 entitled:

AN ACT

To repeal section 311.730, RSMo, and to enact in lieu thereof two new sections relating to the establishment of the division of alcohol and tobacco control fund.

On July 14, 2015, I approved Senate Substitute for Senate Bill No. 373.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 2, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 392 entitled:

AN ACT

To repeal section 378.633, RSMo, and to enact in lieu thereof one new section relating to fraternal benefit society agents.

On July 2, 2015, I approved said Senate Bill No. 392.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 6, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 405 entitled:

AN ACT

To repeal section 52.260, RSMo, and to enact in lieu thereof one new section relating to fees collected by the county collector.

On July 6, 2015, I approved said Senate Bill No. 405.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 13, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 426 entitled:

AN ACT

To repeal section 630.140, RSMo, and to enact in lieu thereof one new section relating to community mental health liaisons.

On July 13, 2015, I approved said Senate Bill No. 426.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 10, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 435 entitled:

AN ACT

To authorize the conveyance of property owned by the state in St. Louis County to St. Louis County.

On July 10, 2015, I approved said Senate Committee Substitute for Senate Bill No. 435.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 14, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 445 entitled:

AN ACT

To repeal sections 29.380, 260.200, 260.225, 260.250, 260.320, 260.325, 260.330, 260.335, and 260.345, RSMo, and to enact in lieu thereof eleven new sections relating to environmental protection.

On July 14, 2015, I approved said Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 445.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 13, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Committee Substitute for Senate Committee Substitute for Senate Bill No. 456 entitled:

AN ACT

To repeal sections 301.140, 301.190, 301.562, and 407.581, RSMo, and to enact in lieu thereof five new sections relating to ownership of motor vehicles.

On July 13, 2015, I approved said House Committee Substitute for Senate Committee Substitute for Senate Bill No. 456.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 2, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 463 entitled:

AN ACT

To repeal sections 135.1150 and 135.1180, RSMo, and to enact in lieu thereof two new sections relating to benevolent tax credits.

On July 2, 2015, I approved said Senate Bill No. 463.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 25, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 474 entitled:

AN ACT

To repeal section 227.297, RSMo, and to enact in lieu thereof one new section relating to the heroes way designation program.

On June 25, 2015, I approved said Senate Bill No. 474.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 10, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 497 entitled:

AN ACT

To repeal sections 67.950, 67.955, 393.015, and 644.145, RSMo, and to enact in lieu thereof five new sections relating to special purpose districts.

On July 10, 2015, I approved said Senate Bill No. 497.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 10, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 500 entitled:

AN ACT

To repeal section 261.241, RSMo, and to enact in lieu thereof one new section relating to honey.

On July 10, 2015, I approved said Senate Bill No. 500.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 22, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 524 entitled:

AN ACT

To repeal sections 362.111, 369.159, and 370.073, RSMo, and to enact in lieu thereof

three new sections relating to contractual fees charged by certain financial institutions.

On June 22, 2015, I approved said Senate Bill No. 524.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

June 30, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 539 entitled:

AN ACT

To amend chapter 49, RSMo, by adding thereto one new section relating to the authority of county officers to provide passport services.

On June 30, 2015, I approved said Senate Committee Substitute for Senate Bill No. 539.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 6, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Concurrent Resolution No. 1 entitled:

AN ACT

Relating to recognition of January as sex trafficking awareness month.

On July 6, 2015, I approved said Senate Concurrent Resolution No. 1.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

July 2, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Concurrent Resolution No. 2 entitled:

AN ACT

Relating to recognition of November as Pica Awareness Month in Missouri.

On July 2, 2015, I approved said Senate Concurrent Resolution No. 2.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

Journal of the Senate

NINETY-EIGHTH GENERAL ASSEMBLY

OF THE

STATE OF MISSOURI

FIRST REGULAR SESSION

VETO SESSION

WEDNESDAY, SEPTEMBER 16, 2015

The Senate was called to order in Veto Session by Lieutenant Governor Peter Kinder.

Reverend Carl Gauck offered the following prayer:

“The Lord is my strength and my shield; in him my heart trusts;” (Psalm 27:7a)

Almighty God, we gather together once more to do the work of the Senate. We know that change is inevitable and leadership change affects us all. We will miss what we have had and view the transition we share as an opportunity to experience your faithfulness and seek to know what it will mean to each of us. We pray that we will be open to the growth it offers and spiritual movement it holds. With strength that comes from You we face the challenges of vetoed bills that we deem worthy. Be with us in our discernment and guide our thoughts and decisions this day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

The Lieutenant Governor was present.

Senator Kehoe requested unanimous consent of the Senate to allow the Marshall from the Missouri Supreme Court enter the Chamber with side arms, which request was granted.

Senator Kehoe announced photographers from the Gasconade County Republican, KRCG-TV, Missouri Digital News, Jefferson City News Tribune, The Missouri Times, KTVI Fox 2, KOLR-TV, KMOV-TV and the Columbia Daily Tribune were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Kehoe offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

Senator Kehoe offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate that the rules of the Senate, as adopted by the Ninety-eighth General Assembly, First Regular Session, be declared to be the rules of the Veto Session of the Ninety-eighth General Assembly.

Senator Kehoe moved that the Senate proceed to perfect its organization, which motion prevailed.

Senator Kehoe nominated Senator Ron Richard for President Pro Tem. Senator Richard's nomination was seconded by Senator Keaveny.

No further nominations being made, Senator Richard was elected President Pro Tem by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Keaveny	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Parson	Pearce	Richard	Riddle	Romine	Sater
Schaaf	Schaefer	Schatz	Schmitt	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Richard was escorted to the dais by Senator Wasson.

Senator Richard assumed the dais and subscribed to the oath of office of President Pro Tem, administered by the Honorable Patricia Breckenridge, Chief Justice of the Missouri Supreme Court.

RESOLUTIONS

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 3

WHEREAS, the General Assembly fully recognizes the importance of preparing our youth to become active and productive citizens

through worthwhile governmental or citizenship projects; and

WHEREAS, the General Assembly has a long tradition of rendering assistance to those organizations who sponsor these projects in the interest of our young people; and

WHEREAS, one clear example of such an organization is the Missouri YMCA, which has become widely recognized for its sponsorship of the Youth in Government program; and

WHEREAS, the Missouri YMCA Youth in Government program provides its participants with a unique insight into the day to day operation of our state government;

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate that the Missouri YMCA be hereby granted permission to use the Senate Chamber and Hearing rooms for the purposes of its Youth in Government program on November 12, 2015 through November 14, 2015 and December 3, 2015 through December 5, 2015.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 3** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 3** was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 4

Whereas, the General Assembly deems it worthy to support and encourage any of those programs which exist to provide Missouri's senior citizens with an opportunity to utilize their experience and knowledge in a positive and meaningful way; and

Whereas, the General Assembly also deems it worthy to support those programs which are designed to provide participants with opportunities to develop better citizenship and leadership qualities; and

Whereas, the Silver Haired Legislature is a program which helps to ensure that senior citizens have a voice in state government while giving its participants a unique insight into the legislative process; and

Whereas, the General Assembly has a long tradition of granting the use of its Chambers to such programs:

Now, Therefore, Be It Resolved that the Missouri Senate hereby grant the participants of the Silver Haired Legislature permission to use the Senate Chamber for the purpose of their regular session from 8:00 a.m. to 5:00 p.m. Thursday, October 22, 2015 and 8:00 am to 12:00 pm Friday, October 23, 2015.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 4** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 4** was adopted.

Senator Cunningham offered the following resolution:

SENATE RESOLUTION NO. 5

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Senate has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

WHEREAS, The Constitution Project is a fun, yet intensive, interactive competition for high school students to gain experience in fields of journalism, crime scene investigation and trial advocacy:

NOW, THEREFORE, BE IT RESOLVED that the Missouri Senate hereby grant the participants of The Constitution Project permission to use the Senate Chamber from 10:00 a.m. to 3:00 p.m. on Tuesday, September 22, 2015, for the purpose of conducting a mock session.

Senator Cunningham requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 5** up for adoption, which request was granted.

On motion of Senator Cunningham, **SR 5** was adopted.

COMMUNICATIONS FROM THE GOVERNOR

The following communications, regarding vetoed Senate Bills were received by the Secretary of State, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 11, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 224 (Senate Bill No. 224), entitled:

AN ACT

To repeal sections 160.545 RSMo, and to enact in lieu thereof one new section relating to eligibility criteria for reimbursements from the A+ schools program.

I disapprove of Senate Bill No. 224. My reasons for disapproval are as follows:

Senate Bill No. 224 would unfairly deny a group of students their eligibility for A+ financial aid, an educational benefit that they have earned, having met all the educational standards that apply, usually after overcoming significant odds against them. Its unwarranted exclusion of these meritorious students cannot be condoned.

Under existing Missouri law (section 173.1110.1, RSMo), students who are unlawfully present in the United States are not eligible for “a postsecondary education public benefit.” One of these benefits includes eligibility for A+ financial aid. This eligibility is distinguished from the criteria for Bright Flight and Access Missouri scholarships, both of which require that recipients are “citizens or permanent residents of the United States.”

A number of mechanisms exist in current Missouri law for students to prove that they are legally present in the U.S. One of them is “any document issued by the federal government that confirms an alien’s lawful presence in the United States.” Such documentation now includes the U.S. Department of Homeland Security’s determination that a student meets the criteria for Deferred Action for Childhood Arrivals (DACA), under guidelines established in 2012.

Senate Bill No. 224’s sole purpose is to deny students, deemed to be lawfully present in the United States, from being A+ eligible.

Who are these students? They came to the U.S. through no choice or action of their own. They arrived as young dependents, in the controlling embrace of an adult who entered the U.S. illegally. They bear no responsibility for this action.

Because DACA students have had to be continuously present in the United States since June 15, 2007, students who are, or who will be, graduating from high school would have had to be 10 years old or younger when they were brought to the U.S. DACA status requires eligible individuals to be in school currently, or to have graduated from high school, or to be honorably discharged from the United States Military. And it requires that they have not been convicted of a felony, significant misdemeanor, or three or more misdemeanors.

A group of DACA students have now lived in Missouri for at least eight years and have met every standard for A+ financial aid. They have attended a public Missouri high school for at least three years. They have earned at least a 2.5 GPA. They have maintained a 95% attendance rate. They have volunteered in their communities or tutored other students. And they have done so while overcoming daunting obstacles such as learning English, living in fear of deportation, and facing the constant stigma of being an alien.

Senate Bill No. 224 is the legislature’s attempt to deny these students the A+ benefit they have otherwise earned. Rather than discouraging the continuing education of these students, the state has an interest in encouraging their successful participation in higher education so that they have an opportunity to pursue productive careers and make positive contributions to the state of Missouri.

Senate Bill No. 224 is a harsh measure imposed unfairly on children who have done nothing wrong. Quite to the contrary, they have done much to be admired, in their studies, for their schools, and on behalf of their communities. Rather than rewarding them for their achievements, Senate Bill No. 224 singles them out for exclusion. Consequently, Senate Bill No. 224 cannot receive my support.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 224 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

Wednesday, September 16, 2015

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GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 10, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Bill No. 20 entitled:

AN ACT

To repeal section 144.054, RSMo, and to enact in lieu thereof one new section relating to a sales tax exemption for commercial laundries.

I disapprove of Senate Bill No. 20. My reasons for disapproval are as follows:

Senate Bill No. 20 would exempt commercial laundries and dry cleaners from paying state and local sales and use tax on their purchases of materials, goods, machinery, electrical energy and gas, chemicals, soaps, detergents, cleaning and sanitizing agents, and other ingredients used to treat, clean and sanitize textiles. The new tax exemptions would be available for large commercial and industrial laundries and dry cleaners – approximately 48 facilities owned by 29 different companies that process at least 500 pounds per hour and 60,000 pounds per week. There is no requirement that a benefitting business create any new jobs to take advantage of these broad new exemptions. This provision would result in a projected \$2 million annual reduction in state revenue as well as an additional \$2 million reduction projected for local jurisdictions.

The special tax break for commercial laundries contained in Senate Bill No. 20 is not the mere clarification of existing sales and use tax law that supporters claim. Instead, this provision would seek to overrule 25 years of legal precedent holding that cleaning dirty clothes is not the same as manufacturing. In 1989, the Missouri Supreme Court first “plumbed the sudsy depths of various sales and use tax exemptions and found no application to commercial laundry operations.” *AAA Laundry & Linen Supply Co. v. Director of Revenue*, 425 S.W.3d 126, 127 (Mo. Banc 2014) (discussing *Unitog Rental Services, Inc. v. Director of Revenue*, 799 S.W.2d 568 (Mo. Banc1989)). As recently as last year, the court similarly rejected a commercial laundry’s attempt to avoid paying its taxes, reiterating that, as in 1989, the laws enacted by the General Assembly did not provide a tax exemption. *Id.* at 127-29. Since that decision, these commercial laundries have spent the last two years lobbying lawmakers for tailor-made exemptions that would treat ironing out wrinkles as “processing” a shirt and getting grass stains out as “manufacturing” a pair of pants, thereby abrogating a quarter century of law and relieving the laundries of their existing legal obligations.

Last year, this provision was slipped into Conference Committee Substitute for House Committee Substitute for Senate Bill No. 662 (2014), which was met with my disapproval. As with Senate Bill No. 662 (2014), Senate Bill No. 20 continues an effort to promote poor tax policy by drawing a seemingly arbitrary distinction between the laundries and dry cleaners fortunate enough to gain this generous new benefit and the rest that are left out to dry. Under this provision, a laundry that processes 59,999 pounds per week would have to continue paying their taxes, but a laundry processing a single pound more would be entitled to broad new exemptions from state and local taxes. This distorts the free market and puts smaller laundries and dry cleaners (not to mention the Missouri families who are doing their own laundry) in the position of subsidizing the operations of larger ones. The commercial laundries might be getting their detergent tax-free, but the rest of Missouri taxpayers would be getting taken to the cleaners.

Senate Bill No. 20 does not simply give commercial laundries and dry cleaners the same tax exemptions enjoyed by other businesses. It gives them more lucrative ones. Although some of the tax exemptions available to manufacturers are limited solely to state taxes, these new exemptions for laundries would apply to local taxes as well. With this provision, the General Assembly would be privileging washing dirty clothes over manufacturing new products, giving commercial dry cleaners and laundries a better deal than Missouri manufacturers without any clearly-articulated economic justification for doing so and without requiring the creation of even a single new job.

The commercial laundry exemption provided by Senate Bill No. 20 represents poor tax policy and cannot receive my approval.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 20 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 10, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 67 (Senate Bill No. 67) entitled:

AN ACT

To repeal sections 67.320, 476.083, 534.350, 534.360, 535.030, 535.110, and 535.160, RSMo, and to enact in lieu thereof ten new sections relating to courts.

I disapprove of Senate Bill No. 67. My reasons for disapproval are as follows:

Like House Bill No. 799, Senate Bill No. 67 would authorize more court fees to fund an array of local capital projects. In doing so, it continues what has evolved into a regular legislative exercise of imposing additional court fees. Local capital projects should be funded through existing local revenues or, with voter approval, new revenue sources rather than through a back-door tax in the form of court user fees. For that reason, Senate Bill No. 67 cannot receive my support.

Senate Bill No. 67 would authorize new court fees and expand existing court fees in specific judicial circuits to be used by jurisdictions identified in the legislation. These new and expanded court fees, ranging from one to fifty dollars, would be in addition to the myriad of court fees already imposed in criminal and civil cases across our state. Moreover, these court fees would not be limited to state courts. Senate Bill No. 67 would authorize these fees be imposed on many county and municipal ordinance violations. The cumulative impact of these court fees is harmful to those that find themselves involved in court proceedings and could pose a barrier to court access for civil litigants.

The proliferation of excessive court fees is recasting the role of the courts into revenue generators for special projects. Court fees and surcharges should not be used as an alternative form of taxation. If a local government wants to raise revenue for its building projects, that question should be submitted to the voters for their approval rather than using the courts as a back-door revenue source. The increasingly common practice of looking to the courts to raise funds must stop. I previously approved Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 5 based on the belief that our courts should serve justice rather than generate revenue, and for those reasons the court fee increases in Senate Bill No. 67 will not receive my approval.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 67 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 10, 2015

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill No. 142 (Senate Bill No. 142) entitled:

AN ACT

To amend chapter 640, RSMo, by adding thereto one new section relating to implementation impact reports.

I disapprove of Senate Bill No. 142. My reasons for disapproval are as follows:

Senate Bill No. 142 contains drafting errors that vitiate its intended purpose. Senate Bill No. 142 would require the department of natural resources to submit to the general assembly an “implementation impact report” regarding state plans to comply with the federal Clean Air Act and Clean Water Act. The report and the plan itself would be required to be submitted 45 days before the plan is submitted to the United States Environmental Protection Agency.

In imposing this requirement for plans regarding clean air, Senate Bill No. 142 requires the department to prepare and submit a report when it is “developing, amending, or revising . . . state plans to comply with federal regulations relating to carbon emissions for existing-source performance standards (42 U.S.C. Section 7412).” (Senate Bill No. 142, page 1, lines 4-6). The referenced section – 42 U.S.C. Section 7412 – is part of the Clean Air Act, but it contains no requirement that a state submit a plan “relating to carbon emissions for existing-source performance standards.” It appears that the drafters meant to cite to 42 U.S.C. 7411, under which, among other things, states must develop and submit plans to address emissions of carbon dioxide and other greenhouse gases. In addition, on page 3, line 86, Senate Bill No. 142 cites to “33 U.S.C. Section 12541, et seq.” There is no such section in federal law.

These drafting errors take an already complex area of state and federal law and confuses it further. Given the stakes for those impacted, I cannot approve legislation that will cause uncertainty for companies doing business in Missouri.

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute No. 3 for Senate Committee Substitute for Senate Bill No. 142 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

Wednesday, September 16, 2015

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GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 7, 2015

TO THE SECRETARY OF THE STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 345 entitled:

AN ACT

To repeal sections 361.707, 361.715, 364.030, 364.105, 365.030, 367.140, 407.640, 408.140, 408.500, and 443.719, RSMo, and to enact in lieu thereof ten new sections relating to financial transactions, with an existing penalty provision.

I disapprove of Senate Committee Substitute for Senate Bill No. 345. My reasons for disapproval are as follows:

Senate Committee Substitute for Senate Bill No. 345 would increase the fee that lenders can charge consumers for many loans that are for periods of 30 days or longer. Current law limits this fee to 10% of the principal up to \$75, but this bill would increase the fee to 10% of the principal up to \$100. This means that most consumer credit loans over \$750, not secured by a mortgage, could see a fee increase. Consumer credit loans of \$1,000 or more could have a \$100 fee, where lenders can currently only charge \$75. This is an approximately 33% increase in the fee on a large portion of loans made to Missourians.

The loans affected by this bill are offered by banks, credit unions, finance companies, consumer installment lenders, title loan companies, and small loan companies. These loans include everything from a car loan from a bank to a loan for unexpected home repairs from a store-front lender in a strip mall.

This fee increase will have the most impact on consumers of limited means who take out relatively small loans and would have a repetitive financial impact as they could be charged on any extension, refinance, restructure or renewal of the loan, if there is "any investigation" on the subsequent application.

Unlike interest, which is typically earned day-by-day, lenders earn this fee at the time the loan is entered into, so even if a person repaid the loan early, Senate Committee Substitute for Senate Bill No. 345 would cost them more money.

This is the second time in two years that Missourians have seen an increase in fees on small loans, as the General Assembly gave lenders the ability to increase this fee in 2013 by overriding my veto of Senate Committee Substitute for House Bill No. 329 and increasing the percentage of this fee from 5% up to \$75 to 10% up to \$75.

Allowing lenders to charge Missourians more in fees is not the way to move Missouri forward, therefore Senate Committee Substitute for Senate Bill No. 345 does not receive my approval.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 345 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk pertaining to action taken on May 12, 2015:

Mr. President: Herewith I return to you **HB 150**, which was passed by the House of Representatives on May 12, 2015, the objections of the Governor thereto notwithstanding.

Also, the attached is a certified copy of the Roll Call on **HB 150**, dated May 12, 2015.

AYES: 109

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 104	Cookson	Cornejo
Crawford	Cross	Curtman	Davis	Dogan	Dohrman	Dugger
Eggleston	Engler	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan
Fraker	Franklin	Frederick	Gosen	Haahr	Haefner	Hansen
Hicks	Higdon	Hill	Hinson	Hoskins	Hough	Houghton

Hubrecht	Hurst	Johnson	Jones	Justus	Keeney	Kelley
King	Koenig	Kolkmeier	Korman	Lair	Lant	Lauer
Leara	Lichtenegger	Love	Lynch	Mathews	McCaherty	McDaniel
McGaugh	Messenger	Miller	Moon	Morris	Muntzel	Neely
Parkinson	Pfautsch	Phillips	Pietzman	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Richardson	Roden	Roeber	Rone
Ross	Rowden	Rowland	Shaul	Shull	Shumake	Sommer
Spencer	Swan	Taylor	Vescovo	Walker	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker			

NOES: 53

Adams	Anders	Arthur	Black	Burns	Butler	Carpenter
Colona	Conway 10	Corlew	Curtis	Dunn	Ellington	English
Gannon	Gardner	Green	Harris	Hubbard	Hummel	Kendrick
Kidd	Kirkton	Kratky	LaFaver	Lavender	Marshall	May
McCann Beatty	McCreery	McDonald	McManus	McNeil	Meredith	Mims
Mitten	Montecillo	Morgan	Newman	Nichols	Norr	Otto
Pace	Peters	Pierson	Pogue	Rizzo	Runions	Ruth
Smith	Solon	Walton Gray	Webber			

ABSENT: 0

VACANCIES: 1

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 1**.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-eighth General Assembly, First Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2015 Constitutional Veto Session and ready for consideration of business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1022**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **HB 1022**.

AYES: 122

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Burns	Chipman	Cierpiot	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross	Curtis	Curtman
Davis	Dogan	Dohrman	Dugger	Eggleston	Ellington	Engler

English	Entlicher	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Gosen	Haahr	Haefner	Hansen
Harris	Hicks	Higdon	Hill	Hinson	Hoskins	Hough
Houghton	Hubrecht	Hurst	Johnson	Jones	Justus	Keeney
Kelley	Kidd	King	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Marshall
Mathews	McCaherty	McDaniel	McGaugh	Messenger	Miller	Montecillo
Moon	Morris	Muntzel	Neely	Parkinson	Pfausch	Phillips
Pietzman	Pike	Pogue	Redmon	Rehder	Reiboldt	Remole
Rhoads	Roden	Roeber	Rone	Ross	Rowden	Rowland
Ruth	Shaul	Shull	Shumake	Solon	Sommer	Spencer
Swan	Taylor	Vescovo	Walker	White	Wiemann	Wilson
Wood	Zerr	Mr. Speaker				

NOES: 38

Adams	Anders	Arthur	Butler	Carpenter	Colona	Conway 10
Dunn	Gardner	Green	Hubbard	Hummel	Kendrick	Kirkton
Kratky	LaFaver	Lavender	May	McCann Beatty	McCreery	McDonald
McNeil	Meredith	Mims	Mitten	Morgan	Newman	Nichols
Norr Otto	Pace	Peters	Pierson	Rizzo	Runions	Smith
Walton Gray	Webber					

ABSENT: 0

VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HB 1098**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **SCS** for **HB 1098**.

AYES: 118

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtis	Curtman	Davis
Dogan	Dohrman	Dugger	Eggleston	Engler	English	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin	Frederick
Gannon	Gosen	Haahr	Haefner	Hansen	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton	Hubrecht	Hurst
Johnson	Jones	Justus	Keeney	Kelley	Kidd	King
Koenig	Kolkmeier	Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Love	Lynch	Mathews	McCaherty	McDaniel	McGaugh

Messenger	Miller	Montecillo	Moon	Morris	Muntzel	Neely
Nichols	Parkinson	Pfautsch	Phillips	Pietzman	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Roden	Roeber	Rone
Ross	Rowden	Rowland	Ruth	Shaul	Shull	Shumake
Solon	Sommer	Spencer	Swan	Taylor	Vescovo	Walker
White	Wiemann	Wilson	Wood	Zerr	Mr. Speaker	

NOES: 42

Adams	Anders	Arthur	Burns	Butler	Carpenter	Colona
Conway 10	Dunn	Ellington	Gardner	Green	Harris	Hubbard
Hummel	Kendrick	Kirkton	Kratky	LaFaver	Lavender	Marshall
May	McCann Beatty	McCreery	McDonald	McNeil	Meredith	Mims
Mitten	Morgan	Newman	Norr	Otto	Pace	Peters
Pierson	Pogue	Rizzo	Runions	Smith	Walton Gray	Webber

ABSENT: 0

VACANCIES: 3

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS No. 2** for **HCS** for **HB 722**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **SS No. 2** for **HCS** for **HB 722**.

AYES: 114

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman	Davis	Dogan
Dohrman	Dugger	Eggleston	Engler	English	Entlicher	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin	Frederick	Gannon
Gosen	Haahr	Haefner	Hansen	Hicks	Higdon	Hill
Hinson	Hoskins	Houghton	Hubrecht	Hurst	Johnson	Jones
Justus	Keeney	Kelley	Kidd	King	Koenig	Kolkmeier
Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love

Lynch	Marshall	Mathews	McCaherty	McDaniel	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely	Parkinson	Pfausch
Phillips	Pietzman	Pike	Pogue	Redmon	Rehder	Reiboldt
Remole	Rhoads	Roden	Roeber	Rone	Ross	Rowden
Rowland	Ruth	Shaul	Shumake	Solon	Sommer	Spencer
Swan	Taylor	Vescovo	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker					

NOES: 46

Adams	Anders	Arthur	Burns	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Ellington	Gardner	Green	Harris
Hough	Hubbard	Hummel	Kendrick	Kirkton	Kratky	LaFaver
Lavender	May	McCann Beatty	McCreery	McDonald	McNeil	Meredith
Mims	Mitten	Montecillo	Morgan	Newman	Nichols	Norr
Otto	Pace	Peters	Pierson	Rizzo	Runions	Shull
Smith	Walker	Walton Gray	Webber			

ABSENT: 0

VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 618**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **SCS** for **HCS** for **HB 618**.

AYES: 123

Alferman	Allen	Anders	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Beard	Bernskoetter	Berry	Black	Bondon
Brattin	Brown 57	Brown 94	Burlison	Chipman	Cierpiot	Conway 10
Conway 104	Cookson	Corlew	Cornejo	Crawford	Curtman	Davis
Dogan	Dohrman	Dugger	Eggleston	Engler	English	Entlicher
Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin	Gannon
Gosen	Haahr	Haefner	Hansen	Harris	Hicks	Higdon
Hill	Hinson	Hoskins	Hough	Houghton	Hubrecht	Hurst
Johnson	Jones	Justus	Keeney	Kelley	Kendrick	Kidd
King	Kirkton	Koenig	Kolkmeier	Korman	Kratky	LaFaver
Lair	Lant	Lauer	Lavender	Leara	Lichtenegger	Love
Lynch	Mathews	McCaherty	McCreery	McDaniel	McGaugh	Messenger
Miller	Montecillo	Moon	Morris	Muntzel	Parkinson	Peters
Pfausch	Phillips	Pietzman	Pike	Redmon	Rehder	Reiboldt
Remole	Rhoads	Roden	Roeber	Rone	Ross	Rowden
Rowland	Ruth	Shaul	Shull	Shumake	Solon	Sommer

Swan	Taylor	Vescovo	Walker	Webber	White	Wiemann
Wilson	Wood	Zerr	Mr. Speaker			

NOES: 35

Adams	Arthur	Burns	Butler	Carpenter	Colona	Dunn
Ellington	Frederick	Gardner	Green	Hubbard	Hummel	Marshall
May	McCann Beatty	McDonald	McNeil	Meredith	Mims	Mitten
Morgan	Neely	Newman	Nichols	Norr	Otto	Pace
Pierson	Pogue	Rizzo	Runions	Smith	Spencer	Walton Gray

ABSENT: 2

Cross	Curtis
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VACANCIES: 3

VETOED BILLS

Senator Romine moved that **SCS** for **SB 224** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Kraus moved that **SB 20** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Holsman
Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder	Parson
Pearce	Richard	Riddle	Romine	Sater	Schaaf	Schaefer
Schatz	Schmitt	Sifton	Silvey	Wallingford	Wasson	Wieland—28

NAYS—Senators

Chappelle-Nadal Keaveny Schupp Walsh—4

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

CCS for HCS for SS for SCS for SB 67 was called thereafter and no motion was taken thereon.

Senator Schmitt assumed the Chair.

Senator Romine moved that **SS No. 3 for SCS for SB 142** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Wasson moved that **SCS for SB 345** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Holsman	Kehoe
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Silvey	Wallingford	Walsh	Wasson	Wieland—26		

NAYS—Senators

Chappelle-Nadal	Curls	Keaveny	Kraus	Schupp	Sifton—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Wasson moved that **SCS** for **HCS** for **HB 618** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaefer	Schatz	Schmitt	Schupp
Silvey	Wallingford	Walsh	Wasson	Wieland—26		

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Schaaf	Sifton—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Parson moved that **HB 1022** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Kehoe	Kraus	Libla	Munzlinger	Nasheed	Onder
Parson	Pearce	Richard	Riddle	Romine	Sater	Schaaf
Schaefer	Schatz	Schmitt	Silvey	Wallingford	Walsh	Wasson
Wieland—29						

NAYS—Senators

Keaveny	Schupp	Sifton—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Kraus moved that **SCS** for **HB 1098** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Emery	Hegeman	Kehoe
Kraus	Libla	Munzlinger	Nasheed	Onder	Parson	Pearce
Richard	Riddle	Romine	Sater	Schaaf	Schaefer	Schatz
Schmitt	Silvey	Wallingford	Wasson	Wieland—26		

NAYS—Senators

Chappelle-Nadal	Holsman	Keaveny	Schupp	Sifton	Walsh—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **HB 799**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **SS** for **SCS** for **HB 799**.

AYES: 111

Alferman	Allen	Anders	Anderson	Andrews	Austin	Bahr
Basye	Beard	Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross	Curtman	Davis
Dogan	Dohrman	Dugger	Eggleston	Engler	English	Fitzpatrick
Fitzwater 144	Fitzwater 49	Flanigan	Fraker	Franklin	Gannon	Gosen
Haahr	Haefner	Hansen	Hicks	Higdon	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Jones	Justus	Keeney
Kelley	Kidd	King	Koenig	Kolkmeier	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Love	Lynch	Mathews
McDaniel	McGaugh	Messenger	Miller	Montecillo	Moon	Morris
Muntzel	Neely	Parkinson	Pfautsch	Phillips	Pietzman	Pike
Redmon	Rehder	Reiboldt	Remole	Rhoads	Roden	Roeber
Rone	Ross	Rowden	Rowland	Ruth	Shaul	Shull
Shumake	Solon	Sommer	Spencer	Swan	Taylor	Vescovo
Walker	White	Wiemann	Wood	Zerr	Mr. Speaker	

NOES: 44

Adams	Arthur	Barnes	Burns	Carpenter	Colona	Dunn
Ellington	Frederick	Gardner	Harris	Hubbard	Hummel	Hurst
Johnson	Kendrick	Kirkton	Kratky	LaFaver	Lavender	Marshall
May	McCann Beatty	McCreery	McDonald	McNeil	Meredith	Mims
Mitten	Morgan	Newman	Nichols	Norr	Otto	Pace
Peters	Pierson	Pogue	Rizzo	Runions	Smith	Walton Gray
Webber	Wilson					

PRESENT: 1

Green

ABSENT: 4

Butler Curtis Entlicher McCaherty

VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HB 878**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **SCS** for **HB 878**.

AYES: 115

Adams	Alferman	Allen	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Beard	Bernskoetter	Berry	Black	Bondon
Brown 94	Burlison	Burns	Butler	Chipman	Cierpiot	Conway 104
Cookson	Cornejo	Crawford	Cross	Curtman	Davis	Dogan
Dohrman	Dugger	Eggleston	Engler	English	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick	Gannon	Gosen
Haahr	Haefner	Hansen	Harris	Hicks	Higdon	Hill
Hinson	Hoskins	Hough	Houghton	Hubrecht	Hurst	Johnson
Jones	Justus	Keeney	Kidd	King	Koenig	Kolkmeier
Korman	Lair	Lauer	Leara	Lichtenegger	Love	Lynch
Mathews	McCaherty	McCreery	McDaniel	McGaugh	Meredith	Messenger
Miller	Mitten	Montecillo	Moon	Morris	Muntzel	Neely
Nichols	Parkinson	Pfautsch	Pietzman	Pike	Redmon	Rehder
Reiboldt	Remole	Rhoads	Roden	Roeber	Rone	Ross
Rowden	Ruth	Shaul	Shull	Shumake	Solon	Sommer
Spencer	Swan	Taylor	Vescovo	Walker	White	Wiemann
Wood	Zerr	Mr. Speaker				

NOES: 40

Anders	Arthur	Brattin	Brown 57	Carpenter	Colona	Conway 10
Corlew	Dunn	Ellington	Gardner	Hubbard	Hummel	Kendrick
Kirkton	Kratky	LaFaver	Lavender	Marshall	May	McCann Beatty
McDonald	McNeil	Mims	Morgan	Newman	Norr	Otto
Pace	Peters	Phillips	Pierson	Pogue	Rizzo	Rowland
Runions	Smith	Walton Gray	Webber	Wilson		

PRESENT: 2

Green Kelley

ABSENT: 3

Curtis Entlicher Lant

VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 2**.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on CCS for SCS for HCS for **HB 10**, **HB 326**, and **HB 629**, when the bills were called by the Speaker.

Photographers from KMIZ ABC 17 were given permission to take pictures in the Senate Chamber.

VETOED BILLS

Senator Dixon moved that **SS** for **SCS** for **HB 799** be passed, the objections of the Governor thereto notwithstanding, which motion failed to receive the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Holsman	Kehoe	Libla
Munzlinger	Nasheed	Onder	Pearce	Richard	Riddle	Romine
Sater	Schatz	Silvey	Wallingford	Wasson	Wieland—20	

NAYS—Senators

Chappelle-Nadal	Emery	Hegeman	Keaveny	Kraus	Parson	Schaaf
Schaefer	Schmitt	Schupp	Sifton	Walsh—12		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Libla moved that **SCS** for **HB 878** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Nasheed	Onder	Parson	Pearce	Richard
Riddle	Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt
Silvey	Wallingford	Walsh	Wasson	Wieland—26		

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Schupp	Sifton—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Kehoe moved that **HB 150** be passed, the objections of the Governor thereto notwithstanding.

Senator Sifton raised the point of order that the veto motion was not timely, as it should have been made by 6:00 p.m., May 15, 2015.

The point of order was referred to the President Pro Tem, who ruled it not well taken.

HB 150 received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Pearce	Richard	Riddle
Romine	Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

Senator Romine assumed the Chair.

Senator Kehoe moved that **SS No. 2** for **HCS** for **HB 722** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Kraus
Libla	Munzlinger	Onder	Parson	Richard	Riddle	Romine
Sater	Schaaf	Schaefer	Schatz	Schmitt	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Keaveny	Nasheed	Pearce	Schupp
Sifton	Walsh—9					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—2

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 6, regarding Pat Fanger, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 7, regarding Brad Deken, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 8, regarding Earl F. Braswell, Sikeston, which was adopted.

Senator Wallingford offered Senate Resolution No. 9, regarding Linda L. Bollinger, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 10, regarding Libby Wilson, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 11, regarding Darren Neels, Cape Girardeau, which was adopted.

Senator Wallingford offered Senate Resolution No. 12, regarding Gina Herzog, Cape Girardeau, which was adopted.

Senator Brown offered Senate Resolution No. 13, regarding Chris McDonald, Arlington, which was adopted.

Senator Sater offered Senate Resolution No. 14, regarding the Fiftieth Wedding Anniversary of David and Barbara Porter, Branson, which was adopted.

Senator Sater offered Senate Resolution No. 15, regarding Susan Woods, Anderson, which was adopted.

Senator Libla offered Senate Resolution No. 16, regarding Toni Steward, Jefferson City, which was adopted.

Senator Libla offered Senate Resolution No. 17, regarding Dean Alan Gholson, Poplar Bluff, which was adopted.

Senator Sater offered Senate Resolution No. 18, regarding Reverend Ben Schumacher, Aurora, which was adopted.

Senator Kehoe offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 19

BE IT RESOLVED by the Senate that the Secretary of the Senate inform the House of Representatives that the Senate, having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's veto of Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 67 when the bill was called by the President.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 20**, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **SB 20**.

AYES: 110

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Basye
Beard	Bernskoetter	Berry	Black	Bondon	Brattin	Brown 57
Brown 94	Burlison	Chipman	Cierpiot	Conway 104	Cookson	Corlew
Cornejo	Crawford	Cross	Curtman	Davis	Dogan	Dohrman
Dugger	Engler	Fitzpatrick	Fitzwater 144	Fitzwater 49	Flanigan	Fraker
Franklin	Frederick	Gannon	Gosen	Haahr	Haefner	Hansen
Hicks	Higdon	Hill	Hinson	Hoskins	Hough	Houghton
Hubrecht	Hurst	Johnson	Jones	Justus	Keeney	Kelley
Kidd	King	Koenig	Kolkmeier	Korman	Lair	Lant
Lauer	Leara	Lichtenegger	Love	Lynch	Mathews	McCaherty
McDaniel	McGaugh	Messenger	Miller	Moon	Morris	Muntzel
Neely	Parkinson	Pfausch	Phillips	Pietzman	Pike	Redmon
Rehder	Reiboldt	Remole	Rhoads	Roden	Roeber	Ross
Rowden	Rowland	Ruth	Shaul	Shull	Shumake	Solon

Sommer	Spencer	Swan	Taylor	Vescovo	Walker	White
Wiemann	Wilson	Wood	Zerr	Mr. Speaker		

NOES: 46

Adams	Anders	Arthur	Barnes	Butler	Carpenter	Colona
Conway 10	Curtis	Dunn	Eggleston	Ellington	English	Gardner
Green	Harris	Hubbard	Hummel	Kendrick	Kirkton	Kratky
LaFaver	Lavender	Marshall	May	McCann Beatty	McCreery	McDonald
McNeil	Meredith	Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters	Pierson	Pogue
Rizzo	Runions	Walton Gray	Webber			

ABSENT: 4

Burns	Entlicher	Rone	Smith
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VACANCIES: 3

Also,

Mr. President:

I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS No. 3** for **SCS** for **SB 142**, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **SS No. 3** for **SCS** for **SB 142**.

AYES: 114

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman	Davis	Dogan
Dohrman	Dugger	Eggleston	Engler	English	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick	Gannon	Gosen
Haahr	Haefner	Hansen	Harris	Hicks	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Hurst	Johnson	Jones
Justus	Keeney	Kelley	Kidd	King	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mathews	McCaherty	McDaniel	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pietzman	Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Roden	Roeber	Ross	Rowden	Rowland	Ruth
Shaul	Shull	Shumake	Solon	Sommer	Spencer	Swan
Taylor	Vescovo	Walker	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker					

NOES: 39

Adams	Anders	Arthur	Butler	Carpenter	Conway 10	Curtis
Dunn	Ellington	Gardner	Green	Hubbard	Hummel	Kendrick
Kirkton	Kratky	LaFaver	Lavender	McCann Beatty	McCreery	McDonald
McNeil	Meredith	Mims	Mitten	Montecillo	Morgan	Newman
Nichols	Norr	Otto	Pace	Peters	Pierson	Pogue
Rizzo	Runions	Walton Gray	Webber			

ABSENT: 7

Burns	Colona	Entlicher	Higdon	May	Rone	Smith
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VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 224**, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **SCS** for **SB 224**.

AYES: 114

Alferman	Allen	Anderson	Andrews	Austin	Bahr	Barnes
Basye	Beard	Bernskoetter	Berry	Black	Bondon	Brattin
Brown 57	Brown 94	Burlison	Chipman	Cierpiot	Conway 104	Cookson
Corlew	Cornejo	Crawford	Cross	Curtman	Davis	Dogan
Dohrman	Dugger	Eggleston	Engler	English	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick	Gannon	Green
Haahr	Haefner	Hansen	Harris	Hicks	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Hurst	Johnson	Jones
Justus	Keeney	Kelley	Kidd	King	Koenig	Kolkmeyer
Korman	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Marshall	Mathews	McCaherty	McDaniel	McGaugh	Messenger
Miller	Moon	Morris	Muntzel	Neely	Parkinson	Pfautsch
Phillips	Pietzman	Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Roden	Roeber	Ross	Rowden	Rowland	Ruth
Shaul	Shull	Shumake	Solon	Sommer	Spencer	Swan
Taylor	Vescovo	Walker	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker					

NOES: 37

Adams	Anders	Arthur	Butler	Carpenter	Colona	Conway 10
Curtis	Dunn	Ellington	Gardner	Hubbard	Hummel	Kendrick
Kirkton	Kratky	LaFaver	Lavender	McCann Beatty	McCreery	McNeil
Meredith	Mims	Mitten	Montecillo	Morgan	Newman	Nichols
Norr	Otto	Pace	Pierson	Pogue	Rizzo	Runions
Walton Gray	Webber					

ABSENT: 9

Burns	Entlicher	Gosen	Higdon	May	McDonald	Peters
Rone	Smith					

VACANCIES: 3

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 345**, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: The attached is a certified copy of the Roll Call on **SCS** for **SB 345**.

AYES: 114

Alferman	Allen	Anders	Anderson	Andrews	Austin	Bahr
Barnes	Basye	Beard	Bernskoetter	Berry	Black	Bondon
Brown 57	Brown 94	Burlison	Chipman	Cierpiot	Conway 10	Conway 104
Cookson	Corlew	Cornejo	Crawford	Cross	Curtman	Davis
Dogan	Dohrman	Dugger	Engler	English	Fitzpatrick	Fitzwater 144
Fitzwater 49	Flanigan	Fraker	Franklin	Frederick	Gannon	Gosen
Haahr	Haefner	Hansen	Harris	Hicks	Hill	Hinson
Hoskins	Hough	Houghton	Hubrecht	Hurst	Jones	Justus
Keeney	Kelley	Kidd	King	Koenig	Kolkmeier	Korman
LaFaver	Lair	Lant	Lauer	Leara	Lichtenegger	Love
Lynch	Mathews	McCaherty	McDaniel	McGaugh	Messenger	Miller
Moon	Morris	Muntzel	Neely	Nichols	Parkinson	Pfautsch
Phillips	Pietzman	Pike	Redmon	Rehder	Reiboldt	Remole
Rhoads	Roden	Roeber	Ross	Rowden	Rowland	Ruth
Shaul	Shull	Shumake	Solon	Sommer	Spencer	Swan
Taylor	Vescovo	Walker	White	Wiemann	Wilson	Wood
Zerr	Mr. Speaker					

NOES: 37

Adams	Arthur	Butler	Carpenter	Colona	Curtis	Dunn
Eggleston	Ellington	Gardner	Green	Hubbard	Hummel	Johnson
Kendrick	Kirkton	Kratky	Lavender	Marshall	McCann Beatty	McCreery
McNeil	Meredith	Mims	Mitten	Montecillo	Morgan	Newman
Norr	Otto	Pace	Pierson	Pogue	Rizzo	Runions
Walton Gray	Webber					

ABSENT: 9

Brattin	Burns	Entlicher	Higdon	May	McDonald	Peters
Rone	Smith					

VACANCIES: 3

OBJECTIONS

Senator Sifton submitted the following:

September 17, 2015

Adriane Crouse
Secretary of the Senate
Missouri Senate
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Article III, Section 30 of the Missouri Constitution, I hereby submit a constitutional objection to House Bill No. 150. The basis for my objection is as follows:

Under Article III, Section 32, legislation vetoed by the Governor and returned with his objections with more than five days remaining in a legislative session must be reconsidered prior to adjournment. It is only legislation vetoed by the Governor and returned with five or fewer days remaining in the session or after adjournment that can be taken up during the September veto session. To emphasize this point, the language of Article III, Section 32 is clear that if no legislation is vetoed by the Governor and returned with five or fewer days left in the regular session or after adjournment, the veto session is not held.

House Bill No. 150 was presented to the Governor on April 22, 2015. The decision of the General Assembly to present House Bill No. 150 during the legislative session resulted in the Governor having only fifteen days to consider and act on the legislation as opposed to the more traditional 45 days the Governor is afforded for bills presented after adjournment. In addition to limiting the Governor's period to act, the General Assembly also narrowed its time to consider his veto. The Governor returned House Bill No. 150 with his objections on May 5, 2015—ten days prior to the end of session. As a result, under Article III, Section 32, the General Assembly was required to reconsider House Bill No. 150 prior to our adjournment at 6:00 p.m. on May 15, 2015.

The Missouri Senate's failure to reconsider House Bill No. 150 during the regular session resulted in the Governor's veto standing. Any subsequent action by the Missouri Senate on House Bill No. 150 during the 2015 veto session would be in direct violation of Article III, Section 32 of the Missouri Constitution and a legal nullity.

Yours truly,



Senator Scott Sifton
District 1

COMMUNICATIONS

President Pro Tem Richard submitted the following:

September 16, 2015

Ms. Adriane Crouse
Secretary of the Senate
201 West Capitol Avenue
Room 325
Jefferson City, MO 65101

Dear Ms. Crouse,

Due to the vacancy on the Administration Committee resulting from the resignation of Tom Dempsey, I hereby appoint Senator Jeanie Riddle to the Committee on Administration.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Ron Richard
President Pro Tem

Also,

September 16, 2015

Ms. Adriane Crouse
Secretary of the Senate
201 West Capitol Avenue
Room 325
Jefferson City, MO 65101

Dear Ms. Crouse,

This is to notify you that I am resigning as Chairman of the Rules, Joint Rules, Resolutions and Ethics Committee, I hereby appoint Senator Mike Kehoe as Chairman and I will be Vice Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics Committee.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Ron Richard
President Pro Tem

Also,

September 16, 2015

Ms. Adriane Crouse
Secretary of the Senate
201 West Capitol Avenue
Room 325
Jefferson City, MO 65101

Dear Ms. Crouse,

Due to the vacancy on the Gubernatorial Appointments resulting from the resignation of Tom Dempsey, I hereby appoint myself as Chairman and Senator Mike Kehoe as Vice Chairman to the Committee on Gubernatorial Appointments.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Ron Richard
President Pro Tem

Also,

Wednesday, September 16, 2015

25

September 16, 2015

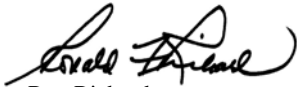
Ms. Adriane Crouse
Secretary of the Senate
201 West Capitol Avenue
Room 325
Jefferson City, MO 65101

Dear Ms. Crouse,

Due to the vacancy on the Commerce, Consumer Protection, Energy and the Environment Committee resulting from the resignation of Mike Kehoe, I hereby appoint Senator Ryan Silvey as Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Ron Richard
President Pro Tem

Also,

September 16, 2015

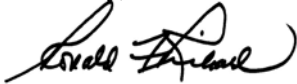
Ms. Adriane Crouse
Secretary of the Senate
201 West Capitol Avenue
Room 325
Jefferson City, MO 65101

Dear Ms. Crouse,

I appoint Senator Paul Wieland Chairman of the Senate Interim Committee on Predatory Towing Practices.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Ron Richard
President Pro Tem

Senator Kehoe submitted the following:

September 16, 2015

Mrs. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Mrs. Crouse:

Pursuant to my election as the Senate Majority Floor Leader, I resign as Chair of the Committee on Commerce Consumer Protection, Energy, and the Environment.

Additionally, I resign from the following committees: Commerce, Consumer Protection, Energy and the Environment; Appropriations; Government Accountability and Fiscal Oversight; and Transportation, Infrastructure and Public Safety.

If you have any questions, please feel free to contact me at your earliest convenience.

Sincerely,



Mike Kehoe

INTRODUCTION OF GUESTS

Senator Kraus introduced to the Senate, Gerald and Sue Rogers, Sikeston.

Senator Schupp introduced to the Senate, Pat Contreras, Kansas City.

Senator Pearce introduced to the Senate, Stormy R. Taylor, Dan Othic, Scott Munsterman and Casey Lund; and members: Julie Turnipseed, Jason Christianson, Robin Austin, Elizabeth Bray, Courtney Stephens, Dedra Thomas, Dain Sisk, Tara Carlyle, Kathy Kay, Sue Kraus, Christopher Stockdale, Dennis Todd, Cheryl Munsterman and Dan Houx, 2015 CLIMB Class.

Senator Schupp introduced to the Senate, Violet Marcel and Jill Kline.

Senator Schaaf introduced to the Senate, Junior Kerns, Las Cruces, New Mexico.

Senator Dixon introduced to the Senate, Heather Bickhell, Laura Brigham and Lesia Hessee, Springfield.

On motion of Senator Kehoe, the Senate of the Veto Session of the First Regular Session of the 98th General Assembly adjourned sine die, pursuant to the Constitution.

PETER D. KINDER

Lieutenant Governor

ADRIANE D. CROUSE

Secretary of Senate

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